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The Bar Association of Baltimore City, Centennial Edition, Daily Record, 1980

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# Centennial Edition

## A Tribute To The Baltimore Bar.

(All copy photographs in this issue were done by Peter Alunans and Dallas Weigel)

May 16, 1980

Unfortunately, it is not very often that those of us engaged in the practice of our ancient and honorable profession have an opportunity to look back and consider our antecedents. The practice of law in 1980, as we are sure it must have been in 1880, is a jealous mistress. It is time-consuming and demanding. Our rewards oft-times seem limited, but we of the Baltimore Bar are privileged to be the heirs of a long and distinguished history. We are blessed with having the best of two worlds, a bustling, big-City practice that is both sophisticated and urbane, and on the other hand, we have a Bar that is close-knit and cordial to each other. Ours is a Bench and Bar that is steeped in civility. It is a democratic Bar drawn from all phases of society. We are what we are because of the lessons handed down from one generation to another. We have evolved into what we respectfully suggest is the epitome of what a Bar should be. No, we are not perfect. Yes, we have areas that need improvement, however, on balance an honest evaluation of the Bar of this great City leaves us with a sense of accomplishment and satisfaction.

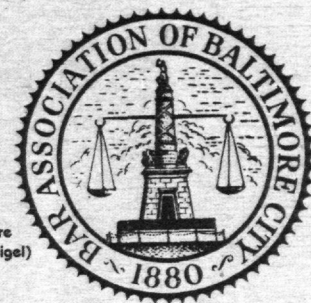
We have become what we are because of our antecedents and the labors of those who came before us. The scholarly pursuits of our predecessors, their sense of professional obligation, their ethics, their sense of community service and feeling of warm camaraderie have passed from one generation of Baltimore lawyers to the next. No better commentary can be made than to quote the distinguished Maryland jurist Reuben Oppenheimer who has written: "When we speak of the traditions of the Bar, we have in mind the seamless web of integrity, ability, idealism and culture spun by the lawyers of the past, whose contributions to professional and civic life we try to carry on. The memories of these men are the basic warp and woof of our profession."

With the publication of this special supplement to the Daily Record, we celebrate the Centennial of the Bar Association of Baltimore City. The purpose of this tabloid is to present a cross-section of the history of the legal profession in Baltimore since 1880. Our approach has been selective:

We have singled out personalities, firms, institutions and other facets of legal Baltimore to highlight. In such a limited endeavor, it is simply not possible to include everyone who should be mentioned. We therefore extend our apologies to those outstanding men and women whose names did not find their way into this supplement. They have not been forgotten. They have been memorialized at other times, at meetings of the Bar and in numerous tributes and have had their deeds inscribed upon the records of the courts before which they practiced.

In these pages, we look back with pride and affection upon some of the members of the Baltimore Bar whose names have become legend; the law schools they founded or attended; the chronicles of law practice in the intervening years since 1880; and tributes to the practitioner and the profession in general. If we have awakened in the reader a new appreciation of the rich heritage which belongs to every Baltimore lawyer, we will have accomplished our goal.

Theodore S. Miller  
Philip Sherman  
James F. Schneider



Monument Square, circa 1928. The old, old U.S. Post Office and Court House (1889-1930) stands to the right. In front of the Battle Monument is Abe Sherman's Kiosk.



The Old Court House on Calvert and Lexington Streets about 1870.



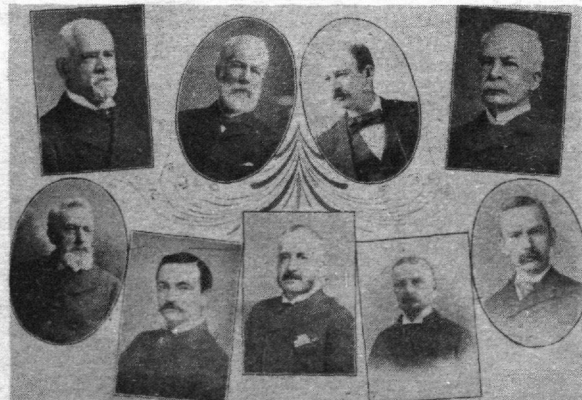
Etta Haynie Maddox



Tin "shingle" of John Hinkley (1864-1940), now in the offices of Clapp, Somerville, Black and Honemann.



The Honorable Thurgood Marshall, Associate Justice Of The United States.



Judges of the Supreme Bench and Judge Morris of the U.S. District Court, 1900.



Assistant State's Attorney W. Calvin Chesnut and Deputy State's Attorney Robert M. McLane, Jr., in their office, 1897. The office was temporarily located at 207 N. Calvert Street during the construction of the present Court House.





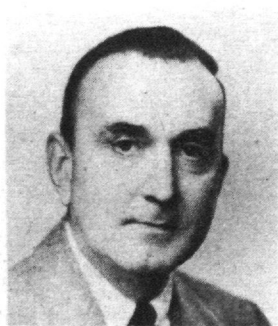
J. Purdon Wright



H. Vernon Eney



Joseph Bernstein



G. C. A. Anderson



Judge Mary Arabian



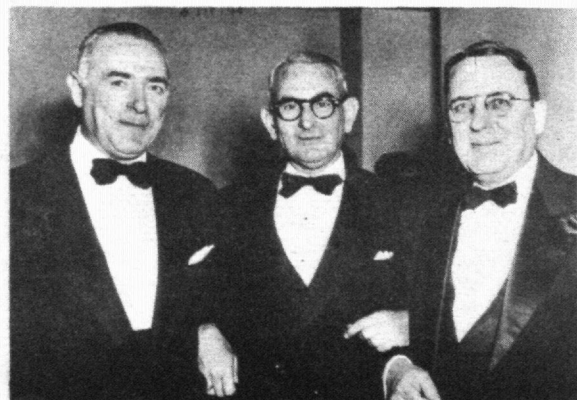
Col. Herbert L. Grymes



Herbert Levy



Harvey Bickel



Judge Herman Moser, Harry O. Levin and Judge Michael J. Manley, 1948.

## In Praise Of The Legal Profession

The profession of the law furnishes the only class who are, by the very necessity of their position, students not only of the great principles of reason and justice which lie at the foundation of all law, but of the laws themselves as they apply to the pursuits and business of men. The lawyer is, as I have said, "an attorney-at-law," that is, he takes the place or turn of another as the word implies; it is his business to represent in the law the business of his client, whatever it may be. It is a relation of agency of peculiar delicacy, requiring absolute confidence between the agent and his principal. Thus the lawyer, in the course of a large practice, comes to be acquainted with the principles and many of the details of every kind of business and occupation. Questions of theology, of medicine, of anatomy, of mechanics, of trade, of the fine arts, of literature, of science and art, of personal rights of every description, in short, questions about everything in which human beings feel an interest and about which they can differ, come before him, and he is obliged to study them carefully in order to understand the merits of the controversy. The amount of knowledge which he thus acquires of special subjects is often very considerable.

And his training makes him conservative. The first thing he learns is to respect precedent. That which has been decided, he follows, because it has been decided. It is the voice of "the recorded law." It has been settled by judges, after consideration and upon argument, and he soon learns to distrust his individual opinion when it comes in conflict with the judgment of those who have ample means of information, and to whose decision he is compelled to submit. Thus, he is seldom disposed to yield to the untried theories of visionary reformers, whose speculations have not been brought to the test of experiment and actual practice.

GEORGE WILLIAM BROWN (1812-1890) in a lecture delivered before the Maryland Institute on March 9, 1868 entitled "The Relation of the Legal Profession to Society".



Reverdy Johnson, Jr.



Governor Herbert R. O'Connor began his long and successful career in politics as State's Attorney of Baltimore City.



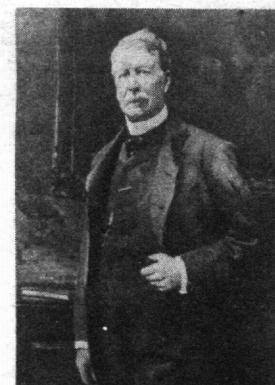
Marion A. Figinski



Mayor Howard W. Jackson



Richard F. Cleveland



William Frederick Frick (1817-1905), at his death, the oldest attorney in Baltimore. From his portrait in the old Superior Courtroom No. 2 in the Baltimore Court House, painted by Fred Hall.



Edward Ward



Vernon Cook



John J. White, Jr.



# To What Extent Should A Lawyer Participate In Politics?

Address Delivered in 1933 Before the "Luncheon Club" of the Bar Association of Baltimore City at the Southern Hotel

By THEODORE R. MCKELDIN  
OF THE BALTIMORE BAR.

To what extent should a lawyer participate in politics? I wrote to Clarence Darrow and submitted this question to him. My letter was returned with the word "over" at the bottom, and on the other side in his own handwriting he scratched these sentences:

"Dear Mr. McKeldin: Nothing could help *politics* more than getting rid of lawyers. I should say that it would help almost every activity, except the Courts, to do likewise. Very truly, Clarence Darrow."

Henry W. Nevins, special correspondent of "The Sun," in an article in that paper on December 10, 1932, very severely criticized Sir John Simon, England's Foreign Secretary, and one of England's greatest lawyers and unrivaled pleaders, for his partisan analysis and presentation of the Japanese side of the Lytton report. Mr. Nevins accuses Sir John of omitting the Chinese side altogether as set forth in the report and quoting only those passages which are favorable to Japan's illegal action. After making these accusations, Mr. Nevins concluded by saying, "Sometimes I am inclined to agree with those who would exclude lawyers from the Government entirely." This statement of Mr. Nevins would indicate that there are others who share the views of Clarence Darrow to rid politics of lawyers. It seems to me, however, that in the light of the contributions made by the American lawyers to the growth and development of this country, Mr. Darrow's statement should not be taken too seriously. Of the thirty-one Presidents, including President-elect Franklin D. Roosevelt, only eight of them have not been lawyers — Washington, William Henry Harrison, Zachary Taylor, Andrew Johnson, U. S. Grant, Theodore Roosevelt, Warren G. Harding and Herbert Hoover.

If anybody wants to know where the well-springs of American liberties and American political institutions really are to be found, or the names of those who were the makers of our constitutional scheme of things, including our Declarations of Rights, our Independence and our Constitutions, almost without exception they were lawyers. The Declaration of Independence was written by Thomas Jefferson, a young lawyer at the age of thirty-three, and was fashioned after the Virginia Bill of Rights, which Bill of Rights in turn was written by that great lawyer, George Mason.



With the exception of Benjamin Franklin and George Washington, all of the men of note and importance in the Constitutional Convention were great lawyers. The Federalist, that group of papers which was written to persuade the people of the United States of the merit and virtue of the Constitution of 1787, that is the one that became effective in 1789, were written by three lawyers — Alexander Hamilton, one of the most brilliant lawyers who ever lived in the United States, and James Madison and James Monroe. I think it is practically conceded that the Constitution of the United States would not have lasted for a year if it were not for the adoption of the first ten amendments, all of which were written by lawyers. It is doubtful whether the Constitution would have been adopted without these compromises in the form of these amendments. What chance do you think the Constitution would have had of surviving had it not been for the wisdom of that most remarkable legal judicial legislator, John Marshall?

The early Senators whose influence was the greatest and whose names we remember were lawyers — Daniel Webster, Henry Clay and John C. Calhoun — and if you would pick out the outstanding men in the United States Senate today, you would find that the great majority are lawyers.

And why has the lawyer played such a conspicuous part in the establishment of our Government and in the perpetuation of its institutions? This question is very adequately answered in a letter that I received from the Hon. Newton D. Baker in connection with the preparation of this talk. He writes me as follows:

"Politics is a process by which our institutions are made to work, and as our institutions are legal and as lawyers are supposed to be better informed about legal things than laymen are, it is the duty of the lawyer

to use his privileged position for the benefit of his fellow-citizens by making his information available and his influence and judgment felt in public affairs."

Lawyers have always taken an active part in politics in the past, and will undoubtedly continue to take just as active a part in the future. The question, however, that I am discussing and the one in which I am interested is to what extent should a lawyer participate in politics if he is seriously interested in our profession as a career. Mr. Baker answers that question in this letter to me with the following statements:

"Whether, and to what extent a lawyer should take part in politics seems to me a question of personal equipment, interest and inclination. It is, however, fairly clear that politics as a means of livelihood is likely to be at the expense of successful growth in the law as a profession."

While it is true that men who actively engage in politics, as a general rule, never become very profound lawyers, yet I think it is fairly true that if our institutions are to survive men of the highest integrity and ability as efficient administrators within our profession must be willing to make personal sacrifices by accepting nominations for elective offices or positions in our Government as appointive officers.

This leads me to the third letter which I received from Max D. Steuer, and the answer to a very important question which this letter contains. When should a man who is really determined to be a lawyer accept a political office whether elective or appointive? Should he accept such an office at the beginning of his legal career or after he has become fairly successful? I want to read you just a few statements of Mr. Steuer's letter which concludes with the answer to that question. He writes:

"I think a lawyer should participate in politics to the extent that he believes his City, State or the Nation needs him. Whether he should seek an elected or appointed office outside of his profession depends, in my judgment, entirely on whether he believes that in that office he can be of especial assistance to his community without lasting detriment to his own interests. I am opposed to a lawyer being permitted to hold any position connected with the law which gives him the right to conduct a private practice. Lawyers must fill political positions. I regard that they are most capable for them. As a rule, they possess the qualifications for a successful executive or administrative officer and, of course, they are the only ones that possess the qualifications for a judicial or quasi-judicial office. Rarely does a man become either a very competent or successful lawyer who has gone into politics early in life. On the other hand, a man who has made

a success in the profession and then goes into public office, generally gives the greatest satisfaction. To have made a success in law, he must have been a man of integrity and great capacity and, therefore, he possesses all the qualifications which are necessary for a successful career in public office."

If you have definitely determined to use the profession only as the basis for a political career, then there is no reason why you should not accept a political position at the beginning of your legal career. This was done by Governor Ritchie, by Calvin Coolidge, Franklin D. Roosevelt and William F. Broening. These men have devoted their lives to the science of Government and not to the profession of law. Thomas Jefferson dedicated all of his talents to the science of Government and as a result was finally reduced to poverty. He died \$30,000 in debt. The same thing is true of Andrew Jackson who also died a poor lawyer; and Daniel Webster, who actually collected from the Goodyear Rubber people two years before he died a \$15,000 fee, which I understand is a pretty large fee even in these days, died some \$40,000 in debt, because of his political activities and one or two other activities.

Elbert Hubbard gives some very sound advice in this connection when he says "Young man, don't get groggy over religion, words, art or politics. They are all good in moderation, but bad if you get an overdose."

The fourth letter that I received came from John W. Davis on January 10, 1933, and the last sentence of that letter contains some excellent advice for politically minded lawyers. Mr. Davis writes:

"I think a lawyer, like every other good citizen, should participate in politics. So far as public office is concerned, Benjamin Franklin's rule is a good one: Never to seek a public office nor to refuse one which it was his duty to accept. I do not think a lawyer's standing in the profession is or can be impaired by service in the legal staff of the Government, nor do I think a part-time political appointment disassociated from the legal profession is to his injury if it be not too long continued."

To me the important part of this letter consists in the last seven words, "if it be not too long continued."

A lawyer accepts a political office and determines in his own mind at the time that he accepts that position that he will remain in that job for only a few years or for one term, and after having made some valuable contacts and after having received some favorable publicity and become known to the community, he will retire from that political office and devote all of his energies to the practice of his profession. Now what actually happens is that a man who accepts a political position is gradually weaned away from his profession so that

when his term of office expires he has become so fascinated with his political life that he has lost his taste and his zest for the legal profession. No matter how unimportant his political appointment may be he convinces himself that he is destined to be a great political figure in the history of his State. The germ of this attitude, on his part, is implanted in his mind by all of the seekers of special favors who call on him, and it is amazing how susceptible men in political office are to flattery. You know the statements are made for but one purpose, you know that a great many of them are absolutely insincere, and yet you convince yourself that they are true. You lose absolutely the thrill that comes by digging up the law, by differentiating one case from the other, and you become exceedingly superficial and shallow in your reasoning powers. Confident that you are a man of destiny, you will fight to hold on to your political office, for it is disastrous for a politician to get out of the eye of the public even for a year. No matter how distasteful the job might be you hold on until a higher political office is available. During this period, of course, your law practice utterly disappears. So far as law business is concerned your clients want to do business with a lawyer and not with a politician. Your party is suddenly turned out of power or that particular faction of your party loses its control and you find yourself without a job and without a law practice.

In conclusion let me give you the answer that Martin W. Littleton, the lawyer from the plains of Texas who now holds forth at 149 Broadway, New York, gave to me in his letter in which he said in answer to my question "To what extent should a lawyer participate in politics?"

"My answer to that is, to the extent it does not distract him from the pursuit of his profession if he really seriously intends to practice law. After all is said and done, the lawyer through the profession can do a great deal that is, perhaps better than he can do in politics. In order to be a successful and first-class lawyer would require all of your time and attention, and in so far as you do not give your time and attention but give it to something else, you have impaired your chances of being the very best."

Excluding the opinion of Clarence Darrow, the four other lawyers quoted by me give in substance this answer to the question that I am discussing: If you are seriously interested in law as a profession don't enter politics at the beginning of your professional career. If, however, you do, remain only for a very short time; for if you remain too long it will be at the expense of successful growth in your profession because the legal profession demands all of your time and attention if you would be a first-class lawyer.



## "Law Clubs" In Baltimore

By SAMUEL H. FELDSTEIN  
OF THE BALTIMORE BAR

ADDRESS DELIVERED THURSDAY, MAY 5, 1938, BEFORE THE  
"LUNCHEON CLUB" OF THE BAR ASSOCIATION OF  
BALTIMORE CITY, AT THE SOUTHERN HOTEL

This paper on "Law Clubs" in Baltimore is the result of a recent inquiry by L. Stanley Ford of Hackensack on behalf of the President of the New Jersey State Bar Association. In his effort to stimulate interest in law clubs in New Jersey such as he was advised exist in Baltimore, Mr. Ford asked: "How are these clubs organized? How do they function? Just what do they do aside from the discussion of legal matters? How large are they? Do they attempt to carry on any Bar Association functions? Are they actually organized or merely informal groups?" etc.

In the labor of searching for the answers, the idea was hatched that the accumulated findings may be of interest to many members of the local bar. This gave birth to the hope that the presentation of the following information through the medium of the "Luncheon Club" will edify some and entertain others.

Baltimore, as far as it can be ascertained, has always had its "Law Clubs." These groups by their very nature, exclusive, informal and sedate, have shunned publicity with the result that very little information has been left behind. Today the seven clubs in existence have a rich background of literary and social tradition. The first clubs of which there appears to be any reference are two interesting groups organized prior to the Civil War. The first is the Friday Club.<sup>1</sup>

### THE FRIDAY CLUB (1852-61)

Twelve legal luminaries of the early 1850's met in the home of William H. Norris on November 26, 1852 and organized the "Friday Club." In this group were Severn Teackle Wallis, Henry

Winter Davis, William F. Frick, Judge George W. Dobbin, William A. Talbott, William H. Norris, William Dorsey, Judge Benjamin C. Presstman, Judge George William Brown, C. H. Pitts, Thomas Donaldson, and Frederick W. Brune. The meetings were held on alternate Friday evenings at each other's homes from eight o'clock to midnight. A supper of limited pretensions both as to food and wine was served. Those not on time at eight o'clock were fined one dollar and the sum total provided for an annual dinner somewhere in the country just before summer recess. The members, all of middle age, were very congenial and discussed law and literature but rarely politics. In 1897 William F. Frick, then 80 years old and the club's last survivor gave an account of the club's history to a writer<sup>2</sup> of a sketch of Henry Winter Davis. Based on that account and other sources, the following information of the club and its members is made known by him:

Most of the names of members of the group appear as those of counsel in many cases in the early volumes of the Maryland Reports.

The first digest of Maryland decisions was prepared and published by three of these gentlemen, Messrs. Norris, Brown and Brune (1847).

Messrs. Dobbin and Brown participated in the organization of the Bar Library in 1840.

George William Brown was the Mayor of Baltimore, who on April 19, 1861, played such an important part in bringing the riot on Pratt Street to an end. He was Chief Judge of the Supreme Bench of Baltimore City from 1873 to 1888.

Mr. Severn Teackle Wallis was not only a distinguished lawyer but a man of exceptional literary attainments and a foremost public citizen. He was a member from Baltimore City to the Legislature of 1861, famous for its consideration of the resolution of the State's secession from the Union. Later in that same year he and Mayor Brown were two of a number of prominent and influential citizens who were arrested by the Federal militia on orders from Washington and imprisoned at Fort McHenry and at Fort Warren, because the authorities at Washington considered their attitude toward the Confederacy such as might bring about the State's secession.

Mr. William A. Talbott died March 1, 1859 and was succeeded by Mr. I. Nevitt Steele (whom Mr. Frick considered the ablest lawyer of the whole number).

George W. Dobbin was a member of the Supreme Bench of Baltimore City from 1867 to 1882, being one of the five judges first chosen to the Baltimore Bench after the adoption of the Constitution of 1867.

Mr. Henry Winter Davis was very fond of the Friday Club and used to come over from Washington to attend its meetings when he was in Congress. The members were all about the same age. The last meeting was held March 22, 1861, just before the war, which put an end to the club. Mr. Norris went into the Southern Army, and Mr. Davis had shortly before been requested to resign on account of his extreme abolition feeling. He felt this very deeply. Both Davis and Wallis always dressed very well, as was the custom with lawyers when they went into court in those days. Davis was a widower when the club started and Messrs. Wallis and Talbott the only unmarried men. Mr. Davis was very fond of coming to the house of Mr. Frick, and both he and Mr. Wallis were very fond of ladies' society.

Mr. Frick said of Davis, "I think that this club was the great joy of his life in early years and he deeply regretted having to leave it. We all respected his honesty, but he was too radical in his views for even the strongest Union men in the club (but from another source I learn that the club was incensed by a speech that Mr. Davis made shortly before the war, in which he denounced the 'silk stocking gentry')."

A photograph of the group of members of the Friday Club taken before March 1, 1859 was presented in 1935 to the Bar Library by Chief Judge Carrol T. Bond of the Court of Appeals.<sup>3</sup>

### THE TEMPLE CLUB (1854-1861)

In the "Horwitz Addition" of the Baltimore Bar Library may be found a minute book of the Temple Club containing a Constitution of the club in the beautiful and artistic penman-

ship of W. C. Pennington, its last president. Its provisions are interesting enough to quote:

1. Members of the Baltimore Bar eligible, never to exceed 13 in number.
2. Meeting once in each of the months of January, February, March, April, October, November, December in the evening. At each meeting, there shall be a plain supper provided at a cost not exceeding the sum of one dollar per member. No member shall at a meeting order or provide at his own expense or at the expense of the club, any additional articles of food or drink.
3. The officers of the club shall be a President and a Treasurer to be elected by ballot at regular meeting in January of every year. The duty of the Treasurer to notify members of the time and place of each meeting; to provide the supper, and previous to each meeting to assess to and collect from each member his quota of the expense thereof. If any member fails to pay his quota for any two consecutive meetings, such failure shall be deemed a resignation of his membership and it shall be the duty of the Treasurer to report such delinquency to the Club on pain of forfeiture of membership.
4. The club may, by a vote of two-thirds of all its members to be taken by ballot, request any member to resign.
5. Any member may, by written notice or resignation, withdraw from the club.
6. Permanent removal from the city or quitting the Profession shall be deemed a resignation of membership.
7. In case of a vacancy, persons may be named as candidates for membership at any meeting thereafter; at the next meeting after such nomination, a vote shall be taken by ballot and the person receiving the highest number of votes shall be thereby nominated for membership; a vote by ballot shall be taken upon his election and if he receive all the votes cast, he shall be declared elected. If one or more votes be cast against him, he shall be ineligible for that vacancy. In case of a tie on the vote for nomination, it shall be decided by lot. If upon a ballot for election the nominee be rejected at the next meeting a new ballot shall be had for nomination and election.
8. Any member may invite

a member of the Bar, not resident in Baltimore, to attend a regular meeting. No other persons shall be admitted.

9. When any Amendment to these Articles is proposed, a vote by Ballot shall be taken, whether any action shall be had upon such proposed Amendment, one vote against such action shall decide the question in the Negative.
10. The above articles shall not be changed nor shall any addition be made thereto, without the written consent of every member of the club. James A. Buchanan (President)  
E. Wyatt Blanchard (Treasurer)  
Archibald Stirling, Jr.  
Charles Marshall  
Wilson C. N. Carr  
Henry Webster  
R. J. Gittings  
William Shepard Bryan  
William C. Pennington  
John Johns, Jr.  
Levin Gale  
I. Shaaff Stockett  
A. W. Machen  
Edward A. Israel

The first recorded minutes show a meeting dated November 7, 1854 at Mrs. Rupels' in Madison Street. In the brief account is noted the removal from the city of John Johns, to practice law in Iowa. At a subsequent meeting, Edward Israel was elected in his stead. The book contains minutes of several meetings and a membership list for 1861 and no further matters being recorded it can be assumed that the Temple Club suffered the fate of its contemporary, The Friday Club, disbandment of its membership for enlistment in the Confederate Army.

### JUNIOR BAR CALL TO ORGANIZE (1869)

In the classified advertising columns of The Baltimore Law Transcript of Saturday, January 23, 1869, page 119, under "Miscellaneous" appears this ad:

#### Law Club

#### Notice

To the Junior Members of the Bar and Students.

All those gentlemen who are favorable to the formation of a Junior Club of the Baltimore Bar will please meet at the City Court Room, on Monday, January 25 at 8 p.m.

F. X. Ward T. S. Baer

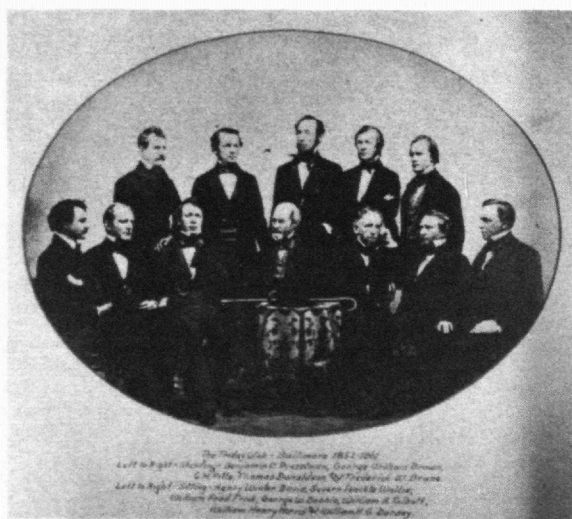
G. M. Bond James Frame  
Committee

In an editorial in the same issue of this predecessor of THE BALTIMORE DAILY RECORD, the following encouraging words appear:

"We hope the initial effort of the Junior members of the Baltimore Bar to form a Law Club, based on a proper plan and looking to the moral, literary, and professional improvement and the social interests of its members, may prove a success."

"Baltimore lawyers were once

(Continued on Page 5)



The Friday Club — Baltimore's First Law Club

(Continued from Page 4)

famed for their fraternal and social tendencies and aptitudes. We have heard that, formerly, a liberal and enlightened *esprit du corps* knit them together firmly and made this Bar no less distinguished for the kindly personal intercourse and social amenities of professional life, than for learning and ability in the forum. Have the stern trials of the war period through which we have all passed somewhat blunted the edge of the old genial humor? If so, now that the 'trumpet's clangor and the cannon's roar' no longer stir the blood, let us have peace and with it, the restoration of those relations of cordial amity and fraternity which made the old Bar a brotherhood, not merely in name but in deed and in truth."

In that same year it was interesting to find that a further activity for the interest of the young lawyer was sponsored. The Daily Law Transcript Saturday, May 1, 1869 calls attention of the junior members of the Bar to the organization of a Moot Court, the first term of which will be held in the City Court room Monday night, May 3rd at 8 p. m. and on Monday of each succeeding week, until further notice. At the last meeting of the Court, the following gentlemen were elected judges: H. Clay Dallam, Esq., on the Law side; Judge Inglis on the Equity side; and Spotswood Garland, Esq., Vice Judge.

#### THE LAWYERS' ROUND TABLE

(1911 to —)

"We, the members of the Lawyers' Round Table, in order to form a more perfect organization, stimulate legal study, insure harmony, provide for the common enlightenment, promote the general culture and secure the blessings of free discussion to ourselves and our successors, do ordain and establish this Constitution for the Lawyers' Round Table of Baltimore." This preamble and five articles' making provision for powers of the club to be vested in a Board of Governors composed of four members, limitation to 25 members, dues \$10 per annum, meetings provided for by the Board and provision for amendment by affirmative vote of no less than 17 members were adopted at the organization meeting April 8, 1911 at the Baltimore Club.

The charter members of this, today's oldest law club, were Randolph Barton, Jr., Carroll T. Bond, William C. Coleman, Roger W. Cull, German H. H. Emory, Joseph C. France, B. Howell Griswold, Jr., Omer F. Hershey, John Hinkley, Charles Morris Howard, Oscar Leser, Arthur W. Machen, Jr., William M. Maloy, William L. Marbury, Alfred S. Niles, Eugene O'Dunne, John Phelps, William L. Rawls, Albert C. Ritchie, John C. Rose, Morris A. Soper, George Weems Williams, Raymond S. Williams and W. W. Willoughby.

Subsequently elected to membership were Alexander Arm-

strong, Jesse N. Bowen, Thomas F. Cadwalader, W. Calvin Chesnut, Frank J. Goodnow, James P. Gorter, Charles McHenry Howard, Stuart S. Janney, R. E. Lee Marshall, Charles Markell, T. Scott Offutt, Francis Neal Parke, W. Ainsworth Parker, Edgar Allan Poe, and Osborne Y. Yellott.

The brilliant array of the aforementioned members of the City, State and Federal Bench and Bar held monthly meetings and dinners at the Baltimore Club, alternating every now and then with meetings at the University Club. During the Prohibition era and for some years thereafter the regular monthly meetings and dinners were held at the home of the Secretary, Eugene O'Dunne. Then meetings were resumed at the Baltimore Club until 1932 when that club disbanded because of the Depression. Thereafter the Lawyers' Round Table held its sessions at the Maryland Club.

On the occasion of a meeting January 13, 1934, in special honor of Judge John J. Parker and his associates of the Circuit Court of Appeals for the Fourth Circuit, Judge O'Dunne compiled a 14-page pamphlet containing the constitution and amendments of the 'Lawyers' Round Table' together with a record of its membership and meetings and subjects discussed from its organization until its meeting of January 13, 1934, and including assignments of meetings and speakers for the years 1934 and 1935, as well as a clever and humorous historic note in the proverbial O'Dunne style.

An amendment to the Constitution (March 14, 1925), provides for honorary membership. Any member after he arrives at the age of sixty may upon request become an honorary member. He has the rights and privileges of an active member but is not required to attend meetings although liable for annual dues. Such members are to be known, collectively, as "The Elder Brethren." To date, only Joseph C. France applied for honorary membership. He "took Silk in the order of the Elders," March 14, 1925. As narrated by Judge O'Dunne, The Lawyers' Round Table has had an interesting and colorful career.

THE WRANGLERS (1920 to —)

Organized in 1920, the Wranglers is an active group of from 25 to 30 members. They meet for dinner on Thursday once each month except during the three summer months. The usual meeting place is the 14 West Hamilton Street Club. After the meal is served an assigned member will read a paper on a legal topic of his own selection and subject himself to a friendly heckling and bombardment of questions pertaining to the matter read. Meetings are very informally conducted by the Pooh-Bah, the only officer. William R. Semans is this dignitary for the year 1938. Annual dues are charged to cover the cost of the

dinners served during the year, including the Annual Dinner held in May at which an outside speaker is honored. In 1925 the Wranglers held a joint meeting with "The Lawyers' Round Table." Election to membership in the Wranglers is by invitation only. Members of the Wranglers are William L. All, Bridgewater M. Arnold, Frederick W. Brune, H. Warren Buckler, Jr., Huntington Cairnes, James Carey, 3rd, James T. Carter, George Cochran Doub, Edgar T. Fell, Joseph France, Douglas H. Gordon, George Gump, William L. Henderson, Roger Howell, Stuart S. Janney, Jr., John H. Lewin, H. H. Walker Lewis, William L. Marbury, Jr., E. F. A. Morgan, Southgate L. Morison, Emory H. Niles, Frank B. Ober, Reuben Oppenheimer, Norwood B. Orrick, Charles G. Page, William R. Semans, Raymond S. Williams, Robert W. Williams, Roger B. Williams.

#### WEDNESDAY LAW CLUB

(1926 to —)

The Wednesday Law Club began on October 20, 1926, at the Maryland Club with 20 members "to promote learning and the legal qualifications of its members." There are now 30 who meet on the first Wednesday in each month for dinner and discussion of a paper presented by one of the group. Publication of presented papers is optional with the speakers. An annual dinner is held at which an invited guest

is the speaker. Dues charged cover the costs of the dinners given through the year. At a meeting in 1930 The Wednesday Law Club played host to the "Lawyers' Round Table." The club is open to any active practitioner over the age of 21 who receives an invitation to join from one of the members. He must be elected unanimously. The officers this season are: President, Wendell D. Allen; vice-president, Robert Stinson; secretary-treasurer, Robert France. Election is held in October. On the membership roll of the Wednesday Law Club are the following: Rowland K. Adams, Wendell D. Allen, G. C. A. Anderson, Thomas N. Biddison, James Treat Carter, Richard F. Cleveland, Eugene A. Edgett, Robert France, Hilary W. Gans, John B. Gontrum, William Lentz, Daniel B. Leonard, John Henry Lewin, William D. Macmillan, Clarence W. Miles, Joshua W. Miles, Southey F. Miles, Herman M. Moser, Seymour O'Brien, Alfred P. Ramsey, Douglas H. Rose, Wharton C. R. Smith, Henry L. D. Stanford, Jr., Robert Stinson, Enos S. Stockbridge, John T. Tucker, Henry H. Waters, Theodore C. Waters, Eugene S. Williams, John S. L. Yost.

#### THE BARRISTERS' CLUB

(1927 to —)

The Barristers, composed of twenty-five veterans of the trial table, organized in 1927. Dinner

meetings once each month were held at the Southern Hotel and are now held at the University Club. A paper is read at each meeting by one of the group. The talk is subsequently published in pamphlet form. John B. Gontrum is president and S. Ralph Warnken is secretary of the Barristers this year. The following are members of the Barristers Club: Lester W. Baldwin, Philip S. Ball, J. Kemp Bartlett, Jr., Forrest Bramble, Philander B. Briscoe, Edward J. Colgan, Arthur C. Eby, Bernard J. Flynn, Wallis Giffen, John B. Gontrum, Walter V. Harrison, Walter V. Kraus, Austin J. Lilly, William D. Macmillan, Michael J. Manley, Paul E. Mason, Chester F. Morrow, Francis K. Murray, Herbert R. O'Connor, Laurie H. Riggs, John Henry Skeen, Horace T. Smith, E. M. Sturtevant, Ralph S. Warnken, Amos W. W. Woodcock.

#### THE RULE DAY CLUB

(1932 to —)

The RuleDay Club was established six years ago by some progressive young men from the larger law offices of the city. The club meets each Rule Day, the second Monday in each month, for dinner at the Baltimore Country Club. Membership is limited to twenty-eight. The members present papers by rotation. The June meeting is reserved annually as a special occasion for the entertainment of

(Continued on Page 6)

*We proudly join in the celebration  
of the 100th Anniversary of the  
Baltimore City Bar Association*

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# General Isaac Lobe Straus

## 1871-1946

By Judge Avrum K. Rifman (Ret.)

In the beginning of the 20th Century, a legal meteor, while streaking across the skies, burned brightly in the legislative firmament in the State of Maryland. Isaac Lobe Straus, as a member of the House of Delegates from Baltimore City, captured the hearts, the minds, and the wills of that politically divided membership, and by his scholarly speeches, moral leadership and zealous advocacy of the people's welfare, successfully routed the entrenched political bosses, and roundly defeated the legislation which was inimical to the public welfare.

The career of this courageous and independent crusader in his campaign for the passage of what is now designated as "public consumer laws", reached its zenith in the legislative sessions of 1908-1912, at which time he was serving his elective term as Attorney General of the State of Maryland. Many of such daring, pioneering and far-reaching "consumer laws" were drafted and fought for by him, and thereafter were duly passed by the State Legislature over the fierce and bitter opposition of the "vested interests", and their wily and powerful "political lobbyists." For the first time, legislation was passed creating the Public Service Commission, the Pure Food and Drug Act, the Corrupt Practices Act, and Direct Primary Law, the Motor Vehicle Law, and many other public oriented laws.

Isaac Lobe Straus was born in Baltimore City on March 24, 1871. His father, William H. Straus was a merchant. His mother, Annette Lobe Straus was a cousin of United States Senator, Isidor Raynor. Mr. Straus received his A.B. degree from Johns Hopkins University in 1890. In addition to being an honor student, he was the recipient of the university scholarship, and for one year he was engaged in the post-graduate studies of political science and Roman law. He graduated with honors from the University of Maryland in 1892 and was admitted to the Bar the same year.

He was appointed General Counsel to the Board of Supervisors of Elections for Baltimore City in 1899, elected to the House of Delegates in 1902, and became a member of the Burnt District Commission of Baltimore City in 1904. His first important public interest case, involving the State of Maryland v. The Baltimore & Ohio Railroad, was his association with the elder statesman, Governor William Pinckney Whyte, and the distinguished lawyer, author and teacher, John P. Poe, in their joint representation of the State. They recovered the sum of \$2,500,000.00 from the Washington Branch for the State. In 1907



Isaac Lobe Straus (1871-1946)

he was elected Attorney General under the administration of Governor Austin L. Crothers. In 1914 he failed to receive the democratic nomination in his campaign for the United States Senate. The politicians then in power were still smarting from Mr. Straus' legislative independence in the past, and the defeat he administered to them, in his opposition to the legislation sponsored by the political bosses and the special interests. However, Mr. Straus continued to assert leadership in the Democratic party. He stumped the State for Governor Woodrow Wilson, Governor Alfred E. Smith and Governor Franklin D. Roosevelt in their Presidential campaigns.

In 1931, Mr. Straus and Judge Henry Duffy were appointed special State's Attorneys for Baltimore City to investigate and prosecute the alleged malefactors of land acquisitions for the construction of the viaduct. The trials were known to the public as The Bath Street Scandals. In 1933 General Straus led the uprising against a fifth term sought by Governor Albert C. Ritchie. Following the election of Harry W. Nice as Governor, one of the important programs instituted by him was the correction and revision of the State institutions, and he prevailed upon General Straus to become one of the three members of the important "State Survey Commission."

Renown and success in his public, professional and private undertakings were intertwined with bitter disappointments and personal frustrations. During those dark hours, the creed of his most favorite "John Milton", appearing in the ode "To Mr. Cyriac Skinner Upon his Blindness", inspired Mr. Straus to stand "four square" against the cruel adversities of the day. This credo was:

"... yet I argue not Against Heaven's Hand, or Will, nor bate one jot Of Heart or Hope; but still bear up, and steer Right onward . . ."

His unflinching devotion to the general welfare, whether in or out of public office, was, at all

times, the guiding star in his life. This great attribute was exceeded, if that were possible, by his gentle nobility. This quality is illustrated by his not infrequent unstinted public recognition of merit. An important case had been concluded, at which time Mr. Joseph Townsend England said to Mr. Straus, "General, I'd like to congratulate you for the excellent Bill of Complaint you drafted in this difficult and complex case." To which Mr. Straus, without a moment's hesitation, replied, "Mr. England, don't congratulate me. Congratulate this young man," pointing to a young fledgling lawyer who had recently taken employment with him, "he alone drafted the entire Bill of Complaint." The lightning-quick exultation experienced by that novitiate lawyer, no kith or kin to General Straus, and of no claim to political or social status, or wealth, or cultural or ivy league attainments, in being suddenly lifted to such great heights, was comparable to the rhetorical question uttered by John Milton in "Paradise Lost", Book II, "Dwells in all Heaven charitie so deare?"

Mr. Straus died on February 4, 1946, and he was buried in the Har Sinai cemetery on Erdman Avenue.

His professional career may be best summed up by recalling the words uttered by Judge Eli Frank, Sr., in the thirties, at the conclusion of a case heard by him in the Circuit Court of Baltimore City No. 2, as follows:

"General Straus was undoubtedly the finest advocate who ever appeared before me."

## Law Clubs

(Continued from Page 5)

another Law Club or for an address by some Judge or other prominent lawyer. Each member is taxed for the costs of the dinner whether he attends or not. The Secretary is the only officer and this post is now held by Rignal W. Baldwin, Jr. Last year Judges Bond, Parke and Offutt were guests of honor, in 1936 Mr. Dean Acheson and in 1935 Judge Morris A. Soper. This June a sort of father and son occasion will be held with each member having as his guest a senior partner of his firm or some other older lawyer. Members of The Rule Day Club are: John W. Avirett, 2nd, Rignal W. Baldwin, Jr., Robert Bowie, Herbert M. Brune, Jr., Brodnax Cameron, Charles Carroll, Jr., Charles P. Coady, Jr., J. Crossan Cooper, Jr., O. Bowie Duckett, Jr., McKenny W. Egerton, Charles C. G. Evans, H. Vernon Eney, Eli Frank, Jr., William A. Grimes, D. Heyward Hamilton, Jr., Hall Hammond, Thomas M. Jenifer, Charles T. LeViness, 3rd, H. H. Walker Lewis, William J. McWilliams, Fendall Marbury, Ambler H. Moss, Hunter H. Moss, Cornelius P. Mundy, Lawrence Perin, Edgar Allan

Poe, Jr., Roszel C. Thomsen, R. Dorsey Watkins, G. Van Velsor Wolf.

"THE" LAW CLUB (1933 to —)

"The" Law Club, which neglected to give itself a specific name other than "The" had its beginning in 1933. It embraces a scholarly membership of nineteen who meet once each month at the Phoenix Club on Eutaw place. Dinner is served and is followed by a discussion of the legal subject introduced by the assigned speaker. Joseph Sherbow is the current secretary and Abram C. Joseph the presiding officer. The following are members of "The" Law Club: E. Milton Altfield, Joseph Bernstein, Allan H. Fisher, Morton P. Fisher, Samuel L. Fisher, Abram C. Joseph, Daniel L. Joseph, Herbert Levy, Joseph Sherbow, Simon E. Sobeloff, Jacob S. New, Albert H. Blum, Daniel Ellison, Emanuel Gorfine, Jacob Kartman, A. B. Makover, Henry Siegel, Joseph Siegel, Maxwell Suls.

## ROGER B. TANEY CLUB (1936 to —)

The Roger B. Taney Law Club organized in the early part of 1936 with a group of twenty lawyers to honor a great Maryland lawyer, has not settled to a routine procedure of meeting. C. Arthur Eby, Esquire, representing a committee of this group presented a resolution at the memorial proceedings held in the United States District Court in honor of Chief Justice Roger Brooke Taney.

## "THE LUNCHEON CLUB"

"The Luncheon Club" of the Bar Association of Baltimore City while strictly not a club in the category of the seven above described existing law clubs is an interesting and modern development of an important function of an alert Bar Association activity. It is sponsored by the Headquarters Committee of the Bar Association of Baltimore City. John Holt Richardson has been chairman of the Committee for a number of years. All members of the Bar and Bench have a standing invitation to attend the lunches at the Headquarters of the Association, 1217 Southern Hotel, provided they pay for their lunch. Only the Thursday guest speaker is allowed a free meal. The group that gathers is unnumbered, informal and congenial. Lunch is served promptly at 12:30 and the speaker begins at 1 o'clock, being allowed one-half hour for presentation of his paper on any legal or quasi-legal subject of his own selection. The speaker is requested to have the subject in written form for submission to THE DAILY RECORD for publication. Copies of the talks have been preserved and kept in loose-leaf volumes chronologically arranged. Indexes to them by author, title, and subject-matter covering the six-year period from 1932 to 1937, inclusive, were published in THE DAILY RECORD, Tuesday, April 19, 1938. The quality of the talks has been consistently good and the publi-

cation of them is usually widely read.

The Bar Association formerly opened its headquarters on Thursday, September 25, 1930, but it was not until January 21, 1932, that the "Luncheon Club" inaugurated an open forum program. There is no membership list, no dues, no business discussed. A Secretary of the Headquarters Committee arranges the speaking schedules. The announced purpose of the weekly meeting was to form a closer relationship between the young and old members of the Baltimore Bar. Accordingly, speakers as a rule have been restricted to lawyers who have been at the Bar less than ten years. On occasions papers are presented by the veterans or outside speakers. Thus, many valuable papers on legal topics and research have been engendered and the young lawyer has been encouraged to make contribution to legal lore and literature. The committee sponsoring the Luncheon Club has been approached by the members of the Bar with the suggestion that the addresses be bound in book form and placed on sale. It may be feasible sometime to finance such a project.

Arthur T. Vanderbilt, President of the American Bar Association, on his recent visit here as a guest of the Baltimore Bar remarked to Robert France, our Secretary, that Baltimore is unique in the possession of its many congenial law clubs. Other visiting attorneys have made similar comment. The long reputation for congeniality and literary activity of the Baltimore City Bar is in no small part due to the function of these law clubs. They have always been among the Bar of Baltimore and likely will always be.

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Descriptive sketch on back of photograph of Friday Club in Baltimore Bar Library.

Descriptive sketch framed and hung below photograph of Friday Club in the Baltimore Bar Library.

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## Black Attorneys In The Baltimore City Justice System Since 1877

by Judge Joseph C. Howard and Lawrence W. Shavers

Efforts of the black Baltimoreans to participate in the city's justice system began in the 1800's when the state constitution restricted the practice of law to "free white male citizens of Maryland, above the age of 21." It also provided that "lawyers from other states shall be admitted on the same terms as lawyers from Maryland are admitted. . . ."

According to A.B. Koger's essay on *The Negro Lawyer in Maryland* (1948), the first black lawyer granted permission to practice law within the confines of Maryland was Charles S. Taylor. On June 22, 1877, Taylor, a member of the Massachusetts bar, presented his credentials to the Federal District Court of Maryland, and on a motion made by the Honorable Archibald Stirling, Jr., was certified to practice law before the federal courts of Maryland.

Almost immediately, Taylor petitioned the Supreme Bench of Baltimore City for permission to practice in the state courts. Permission was denied. Taylor appealed the Supreme Bench's decision on the grounds it conflicted with the Fourteenth Amendment to the United States Constitution. On December 20, 1877, he lost again, this time in the Court of Appeals of Maryland. Disappointed and discouraged, Taylor returned immediately to Boston.

Unlike Taylor, other blacks refused to accept defeat. Rev. Dr. Harvey Johnson, Bishop A.W. Wayman, Ashbie Hawkins, and other concerned leaders launched a campaign for the admission of qualified blacks to the Maryland bar. The Baltimore *Sun* and such prominent white lawyers as Alexander Hobbs joined the struggle. After almost six years of pressure, on March 19, 1885, the Supreme Bench held that color alone could not bar a person from the practice of law. About five months later, Everett J. Waring became the first black lawyer who made it through the Maryland bar. Born in Ohio in 1859, Waring graduated from Howard University Law School in 1885 and received his M.A. degree in 1893. In his life time (he died in 1950), eight other blacks were similarly certified, all of them joined the bar around the turn of the century. Included in this group were George L. Pendleton, Warner T. McGwinn, C.C. Fitzgerald, William L. Fitzgerald, George M. Lane, and W. Ashbie Hawkins.

The black bar in Maryland grew to almost 20 lawyers during the early 1900's. Before the '30's, most black lawyers handled criminal, divorce, real estate, and probate matters. In 1934, Arthur E. Briscoe was appointed Assistant City Solicitor and thus became the first lawyer of color to hold an appointed legal posi-



Everett J. Waring

tion.

Before 1935, when Donald Murray's case opened the University of Maryland Law School to blacks (Murray later became the first of his race to graduate from this institution), the majority of black lawyers were graduates of Howard University Law School, with others coming from Yale, Harvard, Boston University, Dickinson, and other northeast institutions.

In the mid '30's and for decades thereafter, blacks were denied membership in the Maryland State and the Baltimore City Bar Associations. On April 2, 1935, blacks established the Monumental City Bar Association. Its founders were Thurgood Marshall, Warner T. McGwinn, Robert P. McGwinn, Emory R. Cole, W. Ashbie Hawkins, Karl Phillips, and George Evans. By the end of World War II, it had a membership of over 35 lawyers. In 1948, the black firm of Brown, Allen and Watts, was established.

Black women also made history in Maryland when in 1951, Juanita Jackson Mitchell became the first among them admitted to the bar. Soon thereafter, she was joined by Lena K. Lee. Sisterhood blossomed further that year when the wives of 21 black lawyers established an association called the Lawyers' Wives with Mrs. Mercedes Douglas as its first president.

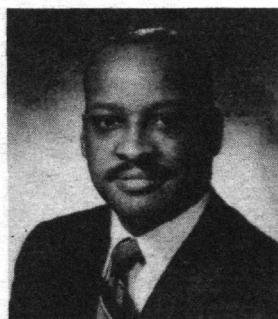


Judge E. Everett Lane

Included among black lawyers who achieved significant success in the 50's were: George Rosemond, appointed first black Assistant State's Attorney by Anselm Sodaro, State's Attorney for Baltimore City (1954); Harry A. Cole, elected to the Maryland Senate (1954) and appointed to

represent the State Accident Fund of the Attorney General's Office (1955), and responsible for many important appointments of blacks in the '50's; William H. Harris, appointed Deputy U.S. Marshall (1956). That same year, Dallas S. Nicholas, W.A.C. Hughes, and E. Everett Lane, became the first blacks to be admitted to the Baltimore City Bar Association.

In 1957, E. Everett Lane became the first black People's Court judge in the state's history, and was followed by Robert B. Watts, who became the first black Democrat to hold judicial office. The next year, Judge Lane and John R. Hargrove integrated the Maryland State Bar Association (a year earlier, Hargrove, who had become the first black Assistant U.S. Attorney in 1955, had been named Deputy U.S. Attorney, a position he held until 1962).



Judge George L. Russell

The organized efforts of black lawyers in the late '50's gave impetus to expanded legal participation in the '60's, which opened with more than 75 blacks admitted to the bar. Breakthroughs in the '60's included the appointment of Robert B. Watts as associate judge of the Municipal Court (1961); the appointment of Jacques E. Leeds as Assistant Attorney General (1962); the elevation of George L. Russell, Jr. to the position of associate judge of the Supreme Bench of Baltimore City (1966); the election of Joseph C. Howard as the first black elected to the Supreme Bench of Baltimore City (1968); the appointment of U. Theodore Hayes as master of the Juvenile Court (1969); and the appointment of J. Franklin Bourne as commissioner for the Workmen's Compensation Commission (1969).

New ground was also broken by black law students. Larry S. Gibson was appointed law clerk by Federal District Court Judge Frank A. Kaufmann in 1967 and William H. Murphy, Jr. was selected law clerk for Robert C. Murphy, who was then chief judge of the Court of Special Appeals.

During the first half of the 1970's, blacks continued to make headway in their efforts to participate in the Maryland justice system. The 1970 election made Milton B. Allen State's Attorney for Baltimore City, William H. Murphy, Sr. District Court Judge, and Paul L. Chester,

Chief Clerk of the Court of Common Pleas.

Appointments by the Judiciary and by city and state executives provided rich opportunities in the legal field. W. Emerson Brown became the first black examiner for the Circuit Court of Baltimore City in 1970. In 1971, John R. Hargrove was elevated to administrative judge in the Baltimore City District Court. In 1972, Charles H. Dorsey, Jr. began to serve on the Board of Maryland Law Examiners, and in 1973, George L. Russell, Jr., became president of the Baltimore City Bar Association.

In 1974, Benjamin L. Brown replaced George Russell as City Solicitor. Also in that year, David T. Mason became the first black appellate judge in the history of the state when Governor Marvin Mandel appointed him associate judge of the Court of Special Appeals. Before the year's end, Charles H. Dorsey, Jr. was made Executive Director of the Legal Aid Bureau.

Some movement forward even reached the faculty of the University of Maryland in 1971, with the hiring of William L. Robinson as part-time instructor of law under Dean William L. Cunningham. William Robinson was followed by Isaiah Baker in 1972 as the first full-time assistant professor. In 1973, Professor Baker was joined by James P. Chandler. On the faculty today are Larry S. Gibson, Edward Laing, and Evelyn Omega Cannon.

In 1975, Robert M. Bell was appointed Judge of the District Court for Baltimore City. In 1977, Harry A. Cole became the first black appointed to the Maryland Court of Appeals. Also in 1977, Larry S. Gibson was appointed as Assistant Deputy Attorney General of the United States, the first black to ever hold this position. In 1979, Mr. Gibson was selected as the Reporter to the Standing Committee on rules of practice and procedure for the Court of Appeals of Maryland. Judge Joseph C. Howard became the first black ever appointed Judge to the Federal District Court of Maryland and Judge Robert M. Bell was elevated to Judge of the Supreme Bench of Baltimore of Baltimore City. More recently, Neal Janney has been selected to fill

Judge Bell's seat as District Court Judge for Baltimore City.

The nature and extent of black participation in our state justice system over the past 100 years is impressive indeed, but the goal of fair representation has hardly been achieved. Only approximately 280 of the more than 3000 lawyers in the City of Baltimore are black; 124 of the 1500 law students, 3 of the 21 District Court judges, 4 of the 23 Supreme Bench judges, 2 of the 4 Orphan's Court judges; 3 of the 8 Juvenile Court masters, and 2 of the 20 appellate court judges are black. In addition, 4 of the 26 Assistant U.S. Attorneys are black; 7 of the 59 attorneys who work in Baltimore City for the Attorney General's Office are black; 1 of the 109 prosecutors in the State's Attorney's Office; are black, 10 of the 80 attorneys in the Public Defender's Office, and 4 of the 70 Assistant City Solicitors are black.

Finally, the impact and contributions made by the black lawyer of Maryland has not been limited to the territorial boundaries of this state. Few states or ethnic groups can boast that one of its own has been appointed Solicitor General of the United States and Associate Justice the United States Supreme Court. Or, for that matter, head of the Legal Defense Fund's historic march towards freedom. These, of course, are major accomplishments of one of the charter members of the Monumental City Bar Association, the Honorable Thurgood Marshall.

Nor can many groups point to a second member of their bar association who has served for over two decades in the hierarchy of the largest and oldest civil rights organization. Clarence Mitchell, II, is known from coast-to-coast as the Director of the Washington Office of the NAACP. He was also appointed a member of the delegation to the United Nations 30th assembly. Other notable members of the Monumental City Bar Association include Vern L. Green, appointed by President Dwight D. Eisenhower as General Counsel of the United States Post Office, Wardell G. Freeland, widely known legal counsel for Pittsburgh Steel, and Charles P. Howard, Jr., past president of the National Bar Association.

This "Centennial Edition" of The Bar Association of Baltimore City has been produced in part as a contribution by The Daily Record Company to the Bar's Centennial Celebration.

The Daily Record congratulates the Bar Association of Baltimore City and wishes it well in its service to the Bar and the public.



# BEFORE THE Supreme Bench Of Baltimore City

Filed March 19, 1885

IN THE MATTER OF CHARLES S. WILSON

Per curiam—

Charles S. Wilson, a person of color formerly a citizen of Massachusetts, where he was admitted to the practice of law and now a citizen of Maryland, applies to this Court for admission to practice law in the Courts of Baltimore City. The Act of 1876, ch. 264, which is in this respect only a re-enactment of Art. 11, Sec. 3, of the Maryland Code excludes colored persons from that right and the question is whether he is entitled to admission notwithstanding that Act.

Sec. 1 of the 14th Amendment to the Constitution of the United States provides that:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The case of *Strauder vs. West Virginia*, decided in 1879, settled the question that by force of the 14th Amendment of the Constitution of the United States and particularly the last clause thereof colored men cannot be excluded from the jury on account of their race or color, because as the Court says in its opinion, 100 U. S. Rep. — p. 306, the Amendment "was designed to assure to the colored race the enjoyment of all the civil rights that under the law are enjoyed by white persons and to give to that race the protection of the general government in that enjoyment whenever it should be denied by the States." On page 307 the Court adds that the Amendment "is to be construed liberally to carry out the purposes of its framers. It ordains that no State shall make or enforce any laws which shall abridge the privileges or immunities of citizens of the United States (evidently referring to the newly made citizens who being citizens of the United States, are declared to be also citizens of the State in which they reside). It ordains that no State shall deprive any person of life, liberty or property, without due process of law, or deny to any person within its jurisdiction the equal protection of the laws. What is this but declaring that the law in the States shall be the same for the black as for the white; that all persons, whether colored or white, shall stand equal before the laws of the States, and in regard to the colored race, for whose protec-

tion the Amendment was primarily designed, that no discrimination shall be made against them by law because of their color. The words of the Amendment, it is true, are prohibitory but they contain a necessary implication of a positive immunity, or right, most valuable to the colored race — the right to exemption from unfriendly legislation against them distinctively as colored — the exemption from legal discriminations, implying inferiority in civil society, lessening the security of their enjoyment of the rights which others enjoy, and discriminations which are steps towards reducing them to the condition of a subject race."

"That the West Virginia Statute respecting juries — the Statute that controlled the selection of the grand and petit jury in the case of the plaintiff in error — is such a discrimination, ought not to be doubted. Nor would it be if the persons excluded by it were white men. If in those states where the colored people constitute a majority of the entire population a law should be enacted excluding all white men from jury service, thus denying to them the privilege of participating equally with the blacks in the administration of justice, we apprehend no one would be heard to claim that it would not be a denial to white men of the equal protection of the laws."

The Court therefore concluded that the Statute of West Virginia amounted "to a denial of the equal protection of the laws to a colored man when he is put upon trial for an alleged offense against the State." 100 U. S. 310.

Such being the interpretation placed upon the Federal Constitution by the Supreme Court of the United States it becomes necessary to consider whether that decision has any, and if so what, bearing upon the restrictive provision of the Maryland Code above referred to. If it should be found upon examination that the Fourteenth Amendment as thus authoritatively construed in effect overrules that restrictive provision, either expressly or by necessary and unavoidable implication, it is made the imperative duty of this Court by force of the second Article of the Maryland Declaration of Rights, itself declaratory of pre-existing law, to give full effect to the Constitution of the United States, anything in the law of this state to the contrary notwithstanding. If the authority of our own Court of Appeals is needed in support of this position, it may readily be found in the very recent case of *Pinkney vs. Lanahan*, not yet reported.

What then is the scope and effect of the decision in the *West Virginia* case?

A juror merely decides in such a case the guilt or innocence of the accused upon the evidence submitted to the jury. The Judge determines what evidence shall be so submitted — he may exclude from their consideration all evidence making in favor of the accused and admit only that which makes against him — if the jury wrongfully finds a verdict against the defendant, the Judge may continue the wrong by refusing a new trial — in inflicting the punishment for the offence, the Judge in most cases determines the length of the imprisonment, and in one case he determines whether the punishment shall be imprisonment or death. Moreover, in this City the Judges appoint the Grand Jury and select the names from which the petit juries are drawn. If therefore, a law excluding all colored men from the opportunity of becoming Jurors because of their color is a denial of the equal protection of the laws to them, a law excluding them from the like opportunity of filling the judicial office and participating in the selection of juries is likewise a denial to them of that equal protection, and the decision in *Strauder's* case that a law excluding them from the possibility of becoming jurors is unconstitutional and void is equally applicable to a law which removes from the negro race all chance of participation in other branches of the administration of the law quite as essential to their security.

At the time of the adoption of the Maryland Constitution of 1867 the above provision in the Maryland Code was the law governing the admission to practice. That Constitution in Art. 4, Sec. 2, upon the qualification of the Judges provides that "they shall be not less than thirty years of age at the time of their election or appointment and shall be selected from those who have been admitted to practice law in this State." If then the Code excludes the colored man from the right to be admitted to practice law and the Maryland Constitution requires that the Judges shall be selected from those who have been so admitted, it would follow that the Constitution excludes the colored man from the right to be a Judge. When therefore the 14th Amendment was adopted in 1868 the above provision in the Maryland Constitution would have immediately become unconstitutional and void if the provision in the Code were still operative. The provision in the Maryland Constitution standing by itself is not in violation of the 14th Amendment — it could only become so by the operation upon it of the exclusion of the colored man made by the Code if that were possible. In other words the provision in the Maryland Constitution, valid when standing by itself, would be

made void by the provision in the Code which imports an unlawful distinction. But the Constitution of Maryland is the paramount law overriding the Code and all acts of Assembly. It can make void an Act of Assembly, but it cannot be made void by one and when the two come into conflict the Act of Assembly must fall.

The above considerations present the answer to the suggestion, which might otherwise be made, that since the Statute limits the membership of the bar to white citizens only, the 14th Amendment would operate upon the provisions of the Maryland Constitution, and eliminate the restriction in the selection of Judges from members of the bar alone and open the office in that manner to all citizens irrespective of race. The Statute, and not the Constitution, must give way, if the conjoint effect of both would be to produce a repugnance not incident to the Constitution alone.

The principles of Constitutional law laid down in the *Strauder* case in our opinion conclusively settle this case, not only upon the grounds already stated, but upon others also.

The whole Court concurred in the decision except Judges Clifford and Field, and it is a significant circumstance that the latter in the subsequent case of the *Butchers' Union Co. vs. Crescent City Co.*, 111 U. S. p. 758, decided in 1883 in the separate opinion which he gave assumes that the right of all citizens of the U. S. to be admitted to the bar except by regulations alike affecting all persons of the same age, sex and condition is a proposition too plain for argument. "It cannot be", he says, "that a State may limit to a specified number of its people the right to practice law, the right to practice medicine, the right to preach the gospel, the right to till the soil, or to pursue particular business or trades and thus parcel out to different parties the various vocations and callings of life."

And it is equally significant that in the same case, p. 764, Judge Bradley who although he united in the decision of the Court, gave a separate opinion in which Judges Harlan and Woods concurred, used language equally emphatic. He says "I hold it to be an incontrovertible proposition of both English and American public law that all mere monopolies are odious and against common right," and he adds, "I hold that the liberty of pursuit — the right to follow any of the callings of life — is one of the privileges of a citizen of the United States."

As we have already stated the particular question decided in that case, is that colored men cannot by reason of their race be excluded from sitting on juries, and the Court holds that to exclude them by law from the opportunity of sitting on a jury,

when a colored man is put on his trial for a criminal offence is discriminating against the accused and depriving him of equal protection and is therefore prohibited by the 14th Amendment, but the decision goes much farther than that. It decides that colored men are entitled to sit on juries not only because colored men may be tried before a jury but because to exclude them would be to discriminate against them as citizens in the enjoyment of their rights, because it would be unfriendly legislation against them distinctly as colored and because it would be a discrimination which would be a step towards reducing them to the condition of a subject race. If then, these reasons prevent a colored citizen from being excluded from the jury box of a State, why do they not equally prevent his exclusion from becoming a member of the bar of a State? Can any sound distinction be drawn between the two cases. We think not. The right of admission to the bar is the far more valuable right of the two. Each is equally a right. It is not a sufficient answer to say that a member of the Bar is an officer of the Court and that therefore the right of admission depends on his possessing the qualifications for the office which the State alone has the right to prescribe. A jurymen is equally an officer of the law for he is appointed by public authority to perform under oath a public duty, for which he is paid and his qualifications are prescribed by law, but notwithstanding this a colored man has the constitutional right to sit on a jury in spite of any discrimination against his color which the State may impose. A member of the Bar is indeed an officer of the Court but he is much more than that, he is also a member of a learned profession whereby he earns his livelihood, a profession which constitutes a large and essential part of every civilized community and which is especially influential and indispensable in a Republican Government. To debar any class of citizens from its membership is not only to prevent their engaging in a lawful calling, but, in the language of the Supreme Court, tends to degrade and stigmatize the whole class by depriving them of a privilege which all other citizens possess and of the equal protection of the law. If one class may be so debarred, so may every other, whether it be on account of nationality, religion or any other cause, at the will and pleasure of the State. All such exclusions are, as we think, plainly declared by the Supreme Court, to be prohibited and unconstitutional.

The Court of Appeals of Maryland in the case entitled "In the matter of Charles S. Taylor" 48 Md. 30, affirmed the validity of the Act 1876 and excluded the applicant because he was a colored man, from the right to be admitted to the practice of the law.

The respect which we entertain for the judgments of that tribunal would induce us to accept the conclusion in that case, if the condition of the Federal decisions, upon which that case was avowedly based, had remained unchanged. The argument for the applicant in that case was founded exclusively upon the proposition that the Act of 1876 was an abridgment of the privileges and immunities of a citizen of the United States and upon this ground was repugnant to the 14th Amendment to the Constitution of the United States. The Court met it simply by showing that the Supreme Court of the United States had decided in the *Slaughter House* case and in *Mrs. Bradwell's case* that the privilege claimed was one which appertained to the citizen of the State and not of the United States, and that the clause of the 14th Amendment relied upon was inapplicable. No reference whatever was made in the argument of the applicant or of the Court to the other clause of the Amendment, the full effect of which was afterwards for the first time brought to light by the series of decisions in 100th U.S. Reports. The terms of the Maryland Constitution limiting the selection of Judges from members of the bar were not alluded to, and no observation was made upon the fact that in the selection of juries they have important ministerial functions which formerly fell within the province of the sheriff's office — both being matters having material bearing upon the question whether the exclusion contemplated by the act in question would be open to objection as denying the equal protection of the laws, but wholly unimportant to the discussion of those clauses of the Amendment which alone had been under consideration in the case in 48th Maryland and in those in 16th Wallace upon which it was founded.

We think that the later cases in the Supreme Court lead irresistibly to a different conclusion from that in the case of Charles Taylor and some expressions of the Judges, particularly those already mentioned and also of Judge Bradley in the *Civil Rights* case in 109 U.S. Rep. would seem to indicate such to be the view of the Supreme Court.

The Court of Appeals however merely decided that the Act of 1876 standing alone was not repugnant to the 14th Amendment, and gave no opinion upon its effect when taken in connection of the provisions of the Maryland Constitution already referred to. It is to be regretted that the question was not presented anew to the Court of Appeals in order that that tribunal, rather than a subordinate Court, might be placed in position to pass upon the result of the later decisions of the Supreme Court of the United States, and that we might have an authoritative declaration of the rule to be adopted, and that even the appearance of departure

from the precedent of the *Taylor* case might be avoided. The application however having been made to the Supreme Bench, it is necessary to determine it, and we are of opinion that the applicant, if in other respects duly qualified, is not to be debarred by reason of his color.

GEORGE WILLIAM BROWN  
EDWARD DUFFY  
WILLIAM A. FISHER  
WILLIAM A. STEWART  
CHARLES E. PHELPS

Baltimore, October 10th, 1885  
The Hon. Judges of the Supreme Bench.

The Undersigned, begs leave to move for the admission of Everett J. Waring to the Bar of the Supreme Bench. Said Everett J. Waring is a Male Citizen of the State of Maryland, above the age of twenty one years, of good moral character, and has been a Student of Law in the United States for at least two years.

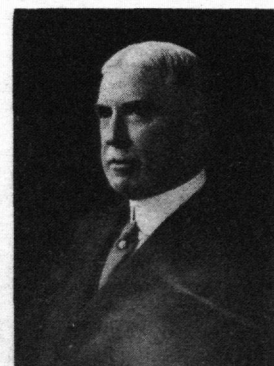
Edgar Gans



Robert R. Carman



Paul Berman



Edgar G. Miller, author of *Miller on Equity and Construction of Wills in Maryland*.

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## History of the Women's Bar Association of Maryland

By Judith A. Arnold and Elizabeth Lewis

The first woman admitted to the Maryland Bar was Etta H. Maddox. Although Ms. Maddox graduated in 1900, she was not admitted until, after bitter debate, a bill permitting women to practice law in the State was passed by the General Assembly in 1902. It would not be until half a century later that women would realize the right to be members of all the major local bar associations.

Nineteen twenty-seven seems to have been the year when Maryland's women lawyers first sought to form their own organizations. In March of that year, one group, claiming to be the first, formed under the name of the Inez Mulholland Law Club. Inez Mulholland was a New York attorney famous for her attacks on discrimination against women, and the group apparently adopted her name with the intent of carrying on her struggle against discrimination. The first president of this group was Helen Elizabeth Brown. The group held monthly meetings, and eventually it became the Alpha Delta Chapter of Phi Delta Delta, an international women's legal fraternity.

Only a month later, on April 11, 1927, fifteen women assembled for the first official meeting of the Women Lawyers' Association of Maryland. The seven founders of that association were Henrietta Stonestreet (president), Sarah Burke, Ida Kloze, Adelaide Lindenberg, Goldie Miller, Helen Sherry, and Jeanette Wolman. The Baltimore *Sun* reported the founding of the association in articles published on April 12 and May 2, 1927. According to the articles, the constitution of the new organization stated that it was organized for "the purpose of promoting fraternalism and an interchange of ideas" among Maryland's women lawyers. This group, too, had monthly meetings, and any female member of the State Bar was eligible for membership. In 1929, Emilie Doetsch succeeded Henrietta Stonestreet as president.

Nineteen twenty-nine saw the establishment of yet another woman lawyers' group. In that year, four women who had applied for and been refused membership in the Bar Association of Baltimore City founded a Women's Bar Association. The founders were Henrietta Stonestreet, Emilie Doetsch (the first female Assistant City Solicitor), Marie Prestman (a member of the State Board of Motion Picture Censors), and Helen Sherry (the first woman to try a case before the Court of Appeals of Maryland). The first president was apparently Helen Elizabeth Brown; she was followed by Florence Laynor. The Baltimore *Sun* of February 20, 1929 reported that the aim of the founders was

to make themselves eligible for membership in state and national bar associations by forming their own local group. The newspaper quoted Henrietta Stonestreet as saying that the four founders had applied for membership in the City Bar Association in order to test whether that association truly represented the Bar of Baltimore City. Although Ms. Stonestreet explained that she had previously opposed the idea of a separate women's bar association, she told reporters that the new group would be wholly independent of the men's bar group.

Late in 1934, the Women's Bar Association campaigned for the appointment of its third president, Sophie Nordenholz, to the staff of the State Attorney General. President Nordenholz also attempted in that year to hold successful candidates for legal offices in Maryland to their promises to support Association members for other State and local offices.

By 1936, the Association, then known as the Women's Bar Association of Baltimore City, had 40 members. Regular meetings were held in members' homes, and at the meetings, papers on "timely subjects" were read. An annual dinner was also held, at which some member of the judiciary was traditionally honored. At the annual dinner held on May 7, 1936 at the Southern Hotel, Ms. May Bigelow, a lawyer with the Farm Credit Administration, spoke on the topic, "This Business of Being a Woman Lawyer", expressing her belief that there ought to be no distinction of women lawyers from men and that all should be recognized equally as lawyers.

On May 10, 1938, the Women's Bar Association of Baltimore City, then led by president Anna Carton, held its annual dinner at the Lord Baltimore Hotel to honor recent women law graduates. Guest speakers were Judge Annabel Matthews, the first woman on the U.S. Board of Tax Appeals and president of the Women's Bar Association of the District of Columbia, and Judge Oscar Leser, of the Supreme Bench of Baltimore City.

The speaker at the 1940 annual dinner was Judge Florence E. Allen of the U.S. Circuit Court of Appeals, Sixth Circuit; she spoke on the Constitution and First Amendment. The president of the Association in that year was Rose Zetzer. Ms. Zetzer and past-president Anna Carton, in April, 1940, formed Baltimore's and Maryland's first law firm restricted to women lawyers.

In 1941, the Women's Bar Association of Baltimore City became the first women's organization to join the newly formed

Inter-American Bar Association. This affiliation was continued until the end of 1967.

As of June, 1944, Maryland's was the only state bar association that did not admit women. On October 22, 1946, however, Rose Zetzer was finally admitted. She had been trying to join the Maryland State Bar Association since 1927.

One of the specific campaigns waged by the Women's Bar Association of Baltimore City in the 1940's was aimed at securing the right of women to serve on juries. In 1947, the year when H. Larue Parke became president of the Association, the General Assembly finally passed a partial Women's Jury Service Bill. Acts 1947, ch. 595.

In 1950, the Women's Bar Association, under the leadership of president Margaret Wright, compiled a list of "Women Lawyers Admitted to Practice in Maryland as of December 15, 1949." In that year, too, the Association recommended Rose Zetzer and Helen Elizabeth Brown to fill vacancies on the Supreme Bench of Baltimore City. In July, Henrietta Stonestreet, who had been the first president of the Women Lawyer's Association of Maryland, attended a conference of the International Federation of Women Lawyers, held in Rome. Ms. Stonestreet was one of the

founders of the International Federation.

One of the members of the Women's Bar Association, Dorothy Jackson (Miller), was elected to the Maryland House of Delegates in 1950 and again in 1954. In 1951, Emma Robertson was installed as president of the Women's Bar Association.

Nineteen fifty-two was the Twenty-fifth Anniversary of the Women Lawyer's Association-Women's Bar Association, and an anniversary banquet was organized. Speaker at the event was the Honorable Burnita Shelton Matthews, judge of the U.S. District Court for the District of Columbia. Serving as toastmaster was the Honorable Helen Elizabeth Brown then Magis-

trate of the Baltimore Housing Court. Officers of the Association during its anniversary year were: Constance Putzel, president; Mary Arabian, vice-president; Caroline McBride, corresponding secretary; Charlotte Main, recording secretary; and Ruth Bishop, treasurer. A short history in the program of the anniversary banquet concluded that women lawyers would "continue to strive for their ultimate goal — to be recognized as lawyers in a profession without discrimination because of sex".

Two women who later became judges of the Supreme Bench of Baltimore City, Mary Arabian and Shirley Jones, served as presidents of the Women's Bar Association in 1953 and 1954, respectively.



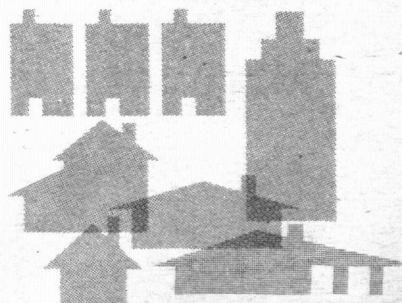
The Baltimore Skyline, circa 1900.

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## Simon E. Sobeloff

(Note—Much of this biographical sketch is drawn from the Address of Eugene M. Feinblatt at the Memorial Services of the United States Court of Appeals for the Fourth Circuit on October 6, 1974.)

Simon Earnest Sobeloff was born in East Baltimore on December 3, 1894 of Russian Jewish immigrant parents. He died on July 11, 1973 at the age of 78 after having served as United States Attorney for the District of Maryland, City Solicitor of Baltimore, Chief Judge of the Court of Appeals of Maryland, Solicitor General of the United States and Chief Judge of the United States Court of Appeals for the Fourth Circuit.

In the words of his biographer, Michael S. Mayer, his "career in the law spans 59 years, most of which were devoted to public service. From 1919 until his death in 1973, years which witnessed the great political and social upheavals of the 20th Century, Judge Sobeloff [as private citizen, public official and Judge] addressed himself to issues such as progressive reform at the City level, prohibition, censorship, civil liberties, legislative reapportionment, and reform of the criminal justice system. Consistently, he took the side of the less fortunate and the persecuted. His close friend, Governor Theodore Roosevelt McKeldin, called him, simply, "the champion of the underdog." Above all, Sobeloff was dedicated to the belief that the law existed to see justice done. While recognizing that courts operate within the constraints of statute and precedent, he refused to allow technicalities and fine legal points to deny justice. Committed to insuring that justice did not belong only to the wealthy and powerful, he exhibited an activist's concern that the courts take an aggressive role in redressing grievances of politically impotent minorities. To his way of thinking, the legal system functioned best when radical, religious, or ethnic minorities, the poor, or the politically unpopular received fair treatment."

Judge Sobeloff was a remarkable human being who was endowed with a vigorous intellect and an unyielding integrity which were agreeably leavened by charm, warmth, humor and perceptiveness. He had a unique talent for simplification, "for brushing aside life's intricacies" and getting to the heart of a matter without being superficial. He had a rare facility for illuminating almost any discourse with a perfectly fitting anecdote. He was also a "practical man in whom idealism and realism were not irreconcilable opposites."

For all of this, the Judge was a comfortable and charming companion, who offered generously of himself — and he was greatly sought after.

He was an enthusiastic conversationalist and discussed with equal perspicacity the affairs of the day, scraps of intelligence gleaned from his net-

work of informants, or an idea from a book he was then reading. His view of the world was holistic. No event or trend escaped his attention and his insights, and his gift for relating seemingly unrelated happenings delighted and stimulated his associates.

He understood human frailties and for his friends he was a constant source of strength in time of adversity.

He was also a superb teacher and through the years he retained the admiration and affection of the young lawyers who had been his assistants as well as his pupils. His major complaint about his young associates was that they came to him with no facility for the English language.

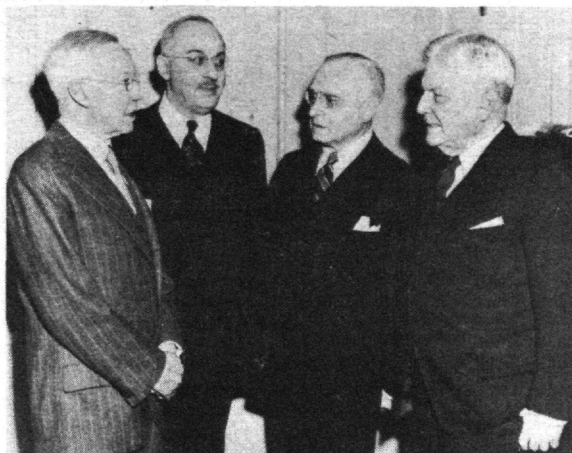
He disdained obscure or florid prose, and his own addresses and judicial opinions are models of lucidity, grace and style. His first drafts would probably have satisfied most of us, but with respect to his writing, the Judge was a perfectionist, and his final copy was the outgrowth of editing and re-editing to strike just the proper balance, to convey an exact shade of meaning or to incorporate the perfect word or phrase.

He was a voracious reader. On his desk or at his bedside at home there were always new volumes — biography, history, commentary, philosophy — they were all grist for his active and agile mind and the depth of his learning in areas far afield from the law was profound.

Judge Sobeloff respected pure intellect, but his own assessments of life were the products of an "indissociable blend of reason and empathy." He was wary of abstract principles which bore no relevance to the needs and experiences of individual human beings and he had a lifelong concern over the uses of law. This concern was a recurring theme in his speeches and writings.

He was deeply influenced by his childhood in East Baltimore. He never forgot the hurt of his own poverty, the feel of insecurity, or the threat of power arbitrarily exercised — and these became moving forces in his own adult life. Integrity of mind and spirit and concern for individual liberty and human dignity were the unifying threads in his career as advocate, prosecutor and jurist.

Judge Sobeloff's career commenced in 1907 when, at the age of 12, he accepted a job as an office boy in William F. Broening's law office at a salary of \$1.50 a week. During the 1907 mayoralty campaign, the young Sobeloff made speeches for the Republican candidate, earning for himself a reputation as a boy orator and his first political



4 Great Judges of the Federal System: (L-R) U.S. District Judge W. Calvin Chesnut; U.S. Circuit Judge Simon E. Sobeloff; Justice Felix Frankfurter; and U.S. Circuit Judge Morris A. Soper.

appointment as a page in the United States House of Representatives during the 61st Congress. Attendance at the University of Maryland Law School — financed by a loan from his first employer, William F. Broening — followed. While still a student he became law clerk to the Honorable Morris A. Soper, then Chief Judge of the Supreme Bench of Baltimore, and there came into being the intimate relationship between the two men which endured throughout their joint lives. Forty-two years later, Judge Sobeloff succeeded his friend and mentor as a member of the United States Court of Appeals for the Fourth Circuit.

In 1914, at the age of nineteen, Judge Sobeloff was admitted to the Maryland Bar and during the next 38 years, in his native city of Baltimore, he engaged in the private practice of law and held a succession of public offices. He was eminently successful at both callings. Through ability and prodigious industry he built an active practice in virtually every branch of the law, but particularly was he pre-eminent as a negotiator and as an advocate in the courtroom.

He served his community as Assistant City Solicitor (1919-1923) and Deputy City Solicitor (1927-1931) under his first patron, Mayor Broening; as United States Attorney for the District of Maryland (1931-1934) under President Hoover; and as City Solicitor of Baltimore (1943-1947) under Mayor Thomas D'Alesandro, Jr. There was also time in a busy career for him to conduct the investigation of the failure of the Baltimore Trust Company, the largest bank in the South, and to serve as labor relations consultant to the City, as general counsel for its Housing Authority, as permanent arbitrator in the men's clothing industry, and as Chairman of Maryland's "Little Hoover Commission".

Each of these public assignments he performed with effectiveness and flair. Even H. L. Mencken forsook his normal cynicism to note that the Sobeloff Report on the bank failure "showed all the compelling

plausibility of a demonstration in geometry and all the racy charm of the gilded age."

Many of the rights and opportunities which are taken for granted today exist only because of successes achieved in struggles in which he participated. Despite bitter opposition from the business community he championed such social reforms as unemployment insurance and housing for the poor. As a leading figure in the movement for public housing, he responded to the critics of the program with the simple statement: "When we try to take a family out of a rat-hole they cry socialism."

Judge Sobeloff played a unique role in the public affairs of his home state. Although a Republican himself, he was the confidante and trusted advisor of high public officials of both political persuasions. During the late 1940's and early 1950's, it was not unusual for both Democratic Mayor D'Alesandro, and Republican Governor McKeldin to rely on his counsel. "If you were confused, but if you were wise, you turned to Simon Sobeloff," an editorial writer once quipped. While deeply involved for most of his life in politics and in the controversies of public affairs, the Judge never sought elective office and he stayed clear of abrasive political partisanship.

When Judge Sobeloff took office as Chief Judge of the Maryland Court of Appeals in December 1952, he became the first member of his faith to serve on the State's highest court. But his new judicial career was interrupted after only 15 months when he resigned to accept appointment from President Eisenhower as Solicitor General.

As the nation's chief advocate he dealt with some of society's most vital and delicate issues. He brought to his office a keen awareness of the need to reconcile fairly the competing interests of man and an abiding faith that individual rights can be preserved in an orderly society; and he was widely acclaimed for the judicial balance and statesmanship with which he performed his responsibilities.

One of these responsibilities was to represent the government before the Supreme Court in the legal battle over the implementation of the Court's initial ruling in *Brown v. Board of Education* that "separate educational facilities are inherently unequal" under the equal protection clause of the Fourteenth Amendment. The brief filed by General Sobeloff won wide praise from moderates in both the North and the South and when the Court's implementation ruling was issued it closely followed the government's recommendations outlined in his brief.

As Solicitor General he perhaps will be remembered best for his refusal to sign the brief in the *Peters* case. He believed that the government's position violated a fundamental constitutional liberty and it was characteristic of Judge Sobeloff, whose entire public life had been "guided by honor and conducted with courage," that he choose to endanger his own career rather than put expediency above principle and the wishes of his superiors above his view of the Constitution.

After an absence of two and a half years, Judge Sobeloff resumed his judicial career, this time as a member of the United States Court of Appeals for the Fourth Circuit. He was at the height of his powers and maturity and within two years, following the death of Judge John J. Parker, he became Chief Judge.

A Memorial Resolution prepared by L. Thomas Howell, Esq. at the time of Judge Sobeloff's death eloquently depicts his judicial career as follows: "Throughout his nearly 17 years of service on the federal judiciary, Judge Sobeloff provided positive and enlightened leadership to the Court of Appeals and was the author of countless judicial opinions, sometimes creating notable and lasting precedents, often championing the rights of minorities, the underprivileged, the dissenter and the prisoner." Almost all are "written with that rare combination of scholarly perception, wit, grace of style, and human compassion which will forever remain a source of inspiration to future generations of lawyers and jurists."

Judge Sobeloff was trim and vigorous until his last years. His expressive and humorous brown eyes and strong and sensitive hands were striking.

During his lifetime Judge Sobeloff was the recipient of innumerable awards and honors including honorary degrees from the University of Maryland, Morgan State College, Dropsie College, the New School for Social Research and Hebrew Union College. He had no patience, however, with pomp or ritual and he held no illusions about the enduring nature of fame. But his contributions to the growth and development of law, and his lifelong promotion of justice and human dignity make his own place in history secure.



## PIPER & MARBURY

The present firm of Piper & Marbury is the issue of the 1952 union of two long-established firms: Piper, Watkins, Avirett & Egerton and Marbury, Miller & Evans and it is from their respective first names that the firm's present title is derived. In a sense a history of the merging firms can be succinctly told by a mere recitation of the names of their respective predecessors from 1854 to the 1952 amalgamation:

### Marbury, Miller & Evans

1854 — Charles Marshall  
1867 — Marshall & Fisher

1887 — Marshall & Hall  
Robertson & Marbury  
1890 — Marbury & Bowdoin  
1893 — Marshall, Marbury & Bowdoin  
1897 — Marbury & Bowdoin  
Williams & Bond

1903 — Marbury & Gosnell

1911 — Marbury, Gosnell & Williams

1946 — Marbury, Miller & Evans

1952 — PIPER & MARBURY

### Piper, Watkins, Avirett & Egerton

1873 — John N. Steele  
1880 — Steele & Semmes  
1887 — Steele, Semmes & Carey

1897 — Steele, Semmes, Carey & Bond  
1900 — Steele, Semmes & Carey

1909 — Carey, Piper & Hall

1916 — Piper, Carey & Hall  
1919 — Piper, Yellott, Hall & Carey

1920 — Piper, Carey & Hall  
1939 — Piper, Watkins & Avirett

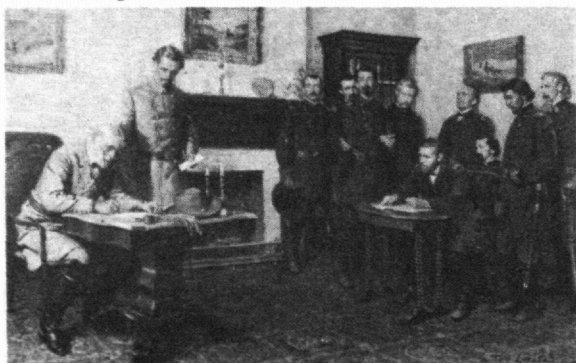
1946 — Piper, Watkins, Avirett & Egerton

The present firm, with its antecedents since 1854, has included 76 partners, as of October 1, 1980, listed below according to their dates of birth:

Marshall, Charles	Newcomer, George S.	Miller, Decatur Howard
Hall, Thomas William, Jr.	Watkins, Robert Dorsey	Redden, Roger Duffy
Fisher, William A., Sr.	Marbury, William L., Jr.	Cooper, John C., III
Robertson, Alexander H.	Avirett, John Williams, 2d	Ferber, Richard David
Semmes, John Edward, Sr.	Graham, Boyd Billingsly	Scriggins, Larry Palmer
Steele, John Nelson	Cairns, Charles C. G.	Barnhouse, Robert Bolon
Gosnell, Frank	Cairns, Huntington	Finnerty, Joseph G., Jr.
Bond, Nicholas P.	Cross, Frederic Stephen	Sharpe, Donald Edward
Steele, S. Taggart	Kemp, William Thomas, Jr.	Noonberg, Lewis Allan
Buckler, William Hepburn	McDonough, John Martin	Derby, Ernest Stephen
Carey, Francis King	Egerton, McKenny White	Lord, Henry Robbins
Marbury, William Luke, Sr.	Slingluff, Jesse, Jr.	Barr, Albert Stephen, III
Bowdoin, Henry J.	Wolf, George Van Velsor	Young, Robert Edward
Hall, John Bannister, Jr.	Rouse, John G., Jr.	Niemeyer, Paul Victor
Slingluff, Jesse, Sr.	Allen, Franklin Gordon	McPherson, Donald P., III
Yellott, Osborne Ingle	Crocker, Michael Pue	Winn, James Julian, Jr.
Bond, Carroll Taney	Smith, Edward Samuel	Katz, Lawrence Myers
Williams, George Weems	Gray, Frank Truan	Goldstein, Frank Robert
Piper, James	Young, Joseph H.	Lohr, Walter George, Jr.
Ritchie, Albert Cabell	Brewster, Andre Walker	Gillece, James P., Jr.
Rawls, William Lee	Bamberger, Edward C., Jr.	Shattuck, Steven Delos
Miller, Lawrence Vernon	Jones, John Martin, Jr.	Richlin, William Gar
Carey Francis James	Clarke, Edward Owen, Jr.	Wright, Francis Xavier
All, L. William	Albert, Charles Thompson	Diggs, Edward S., Jr.
Short, John Saulsbury	DeVito, Mathias J.	Kratz, John Ernest, Jr.
Carey, James, 3rd		

The hundredth year of the Bar Association of Baltimore City at the same time finds this firm 126 years old, for its founder, Charles Marshall, was admitted to practice in 1854.

His 48 years at the Maryland bar (1854-1902) were interrupted only by five with the Confederate Army. A great-nephew of Chief Justice Marshall and a native Virginian, Colonel Marshall left his Baltimore practice at the outbreak of the War to return to his native state. For most of the conflict, he served as chief of staff of the famous Army of Northern Virginia. In this position it fell his lot to prepare most of General Lee's orders, including the latter's farewell address, General Orders No. 9, April 10, 1865, which at Lee's direction Marshall himself composed. He was the only staff member to accompany Lee to the Appomattox surrender and Grant's generous terms were, in large part, actually reduced to writing by Marshall. He appears standing just to Lee's left in Lovell's painting of the meeting within the McLean House.



Surrender at Appomattox.

Upon Marshall's return to Baltimore following the War, he joined forces in practice with William A. Fisher. Their partnership continued until Fisher became a member of the Supreme Bench of Baltimore in 1882.

The legal education of five of the earliest partners, as was then the custom, consisted of "reading law." Accordingly, Marshall, Fisher, Bond, J. B. Hall and Rawls read law in the offices of William Schley, George Chandler, Thomas S. Hudson or W. L. Marbury, Sr.

The professional training of the others reflects the growth of formalized law schooling that has greatly increased in the century since the founding of the Bar Association of Baltimore City in 1880. Thus, 30 partners have been graduated by the University of Maryland Law School. The legal training of the remainder shows a wider regional distribution: Harvard — 14; Virginia — nine; Notre Dame — three; two each: Georgetown, NYU and Yale; and one each: Chicago, Columbia, Duke, Michigan, Pennsylvania, Rutgers, Washington & Lee and Western Reserve.

Those performing judicial functions include: Bond, Judge, Supreme Bench, Baltimore (1911-1924) and Judge, Court of Appeals of Maryland (1924-1943); Fisher, Judge, Supreme Bench, Baltimore (1882-1887); McDonough, Referee in Bankruptcy (1950-1955); Robertson, Master in Chancery, Supreme Bench, Baltimore; Smith, Judge, U.S. Court of Claims (1978); Watkins, Judge, U.S.D. Ct., Maryland (1955); and Young, Judge U.S.D. Ct., Maryland (1971).

Three partners have been City Solicitors of Baltimore: T. W. Hall, (1878-1883) Semmes, Sr. (1897-1899) and Evans (1938-1942). Eight have served as bar association presidents: *Bar Association of Baltimore City*: Fisher (1881-1882); Marshall (1884-1885); Ritchie (1886-1887); Steele (1904-1905); Marbury, Sr. (1908-1909); Rawls (1919-1920); Williams (1928-1929); Watkins (1948-1949); *Maryland State Bar Association*: Marbury, Sr. (1910-1911); Ritchie (1922-1923); Williams (1935-1936); Marbury, Jr. (1965-1966).

Seventeen have done stints as either U.S. Attorney or the Maryland Attorney General, or as deputies or assistants thereto, or as assistants to the U.S. Secretary of Treasury, U.S. Attorney or the U.S. Attorney General: Marbury, Sr., U.S. Attorney, Md. (1894-1898); Cairns, Asst. Gen. Counsel, U.S. Treasury (1937-1943); Smith, U.S. Dept. Justice, Tax Division, Assistant for Civil Trials (1961-1963); Sharpe, Asst. U.S. Attorney, Md. (1967-1969); Lord, Deputy Attorney General, Md. (1971-1976); and as Asst. Attorneys General, Md.: Marbury, Jr. (1930-1931); Wolf (1944-1945); Gray (1955-1956); Bamberger (1957-1958); Jones (1959-1960); DeVito (1963-1964); Redden (1964-1965); Cooper (1965-1966); Noonberg (1967-1969); Lord (1968-1971); Derby (1971-1973); and Lohr (1974-1976).

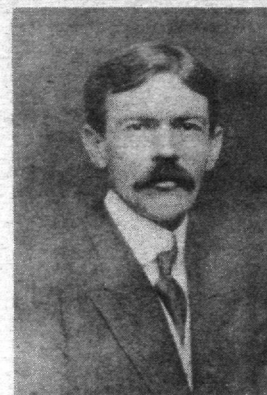
Twenty-four partners have served the country in wartime: CIVIL WAR: Marshall, Lt. Col., CSA; T. W. Hall, Maj., CSA; SPANISH AMERICAN WAR: J. Slingluff, Sr., 1st Lt., USA; Bond, 1st Sgt.; WORLD WAR I: J. Carey, 3rd, Lt., AUS; F.J. Carey, AUS; Buckler, ambulance corp, Armies of France; Newcomer, Rgtl. Sgt.-Maj., USA; Ritchie, general counsel, War Industries Board; Short, Capt., USA; Slingluff, Sr., Maj., USA; WORLD WAR II: Allen, Maj., AUS; Avirett, Capt., USNR; Bamberger, Jr., pre-flight trainee, USAF; Brewster, 2nd Lt., USMCR; Egerton, office of general counsel, War Production Board; Crocker, Maj., USMCR; Gray, Capt., USA, Air Corps; Marbury, Jr., legal consultant, Sec. of War (1940-1942) and chief counsel, Under Secretary of War (1942-1945); McDonough, Capt., USA, Air Corps; Smith, Cmdr., USNR; J. Young, 1st Lt., AUS; KOREAN WAR: Albert, Capt., AUS; Brewster, 1st Lt., USMCR; Clarke Jr., Lt. (SG), USNR; and VIETNAM WAR: Kratz, 1st Lt., AUS; Winn, Capt., AUS; Wright, Capt., AUS; R. Young, Capt., AUS.

Among the members who have over the years engaged in significant political, cultural or educational activities are nine: Avirett, president, Baltimore Museum of Art (1962-1968); Bamberger, Dean, Law School, Catholic University (1969-1975); Buckler, professor of archeology, Oxford University and U.S. Foreign Service, U.S. Legations: Spain, London and Paris; Cairns, secretary, treasurer and general counsel, National Gallery of Art (1943-1965); T. W. Hall, Professor, International and Constitutional law, University of Maryland; Marbury, Jr., Fellow, Harvard College (1948-1970), president or chairman of the board of trustees, Peabody Institute of Baltimore (1948-1967) and chancellor, Episcopal Diocese of Maryland (1962-1971); Ritchie, four-time governor of Maryland (1920-1934); Slingluff, Jr., chairman, board of trustees, Maryland Institute of Art (1965-1974); Watkins, Professor, Law School, University of Maryland.

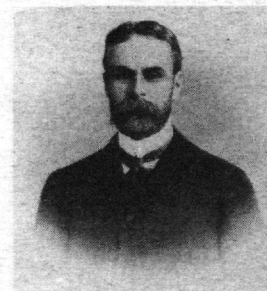
A review of Martindale-Hubbell since the Association's 1880 founding reveals that then, as now, the Baltimore bar wished to have their offices as convenient to the Courthouse as possible.

The office of the 1880 firm of Steele & Semmes was located in the Haig Building on the east side of the 200 block of North Charles Street. By 1885, Marshall & Marbury were at 51 St. Paul Street, while Steele, Semmes & Carey had by 1890 moved to the northeast corner of St. Paul and Baltimore. 1889 found Marshall, Marbury & Bowdoin in the Glenn Building at 12 St. Paul (with the fact of "Telephone Connection" printed prominently at the top of their 1896 letterhead), there to remain for eight years until their 1897 removal to the Equitable Building, newly constructed opposite the Battle

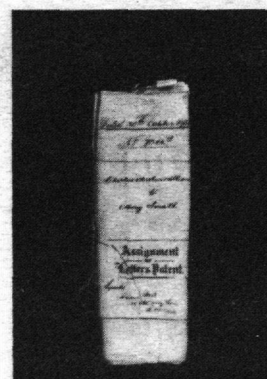
(Continued on Page 13)



William L. Marbury, Sr.



John N. Steele



This parchment was taken out of the Marbury & Gosnell safe after the Baltimore fire in 1904. It originally was 9' x 4 1/2" and shrank because of the intense heat.



George S. Newcomer made his own violin and was a member of the "Saturday Night Club" with H. L. Mencken.



(Continued from Preceding Page)

Monument on the southwest corner of Calvert and Fayette Streets in 1891. The latter was home until a 1903 transfer to long-time offices in the Maryland Trust Building, at the northwest corner of German (as Redwood was then known) and Calvert Streets. Except for being driven therefrom to the Maryland Telephone Building by the Baltimore Fire for one year (1904), the Marbury group was to remain ensconced in the Maryland Trust Building for more than a half century. In 1959, however, a lack of expansion room caused the firm (by then Piper & Marbury) to move to four floors in the First National Bank Building, at the southwest corner of Light and Redwood Streets. The name German Street had by then been changed to Redwood because of the hostility brought on by World War I.

On the other hand, Steele, Semmes & Carey, the Piper firm's antecedent, tenanted the Equitable Building from 1894 until 1909, except for the year 1904 when the fire had likewise forced them to 6 East Centre Street. After the fire, however, the Piper group took up residence in the Calvert Building (now the site of a parking lot) on the southeast corner of Fayette and St. Paul, behind the main offices of the present Union Trust Company (originally The Bank of Baltimore's 1795 home) at the northeast corner of Baltimore Street (originally, Market Street) and St. Paul Street (originally, Saint Paul's Lane). The Piper firm remained there for 20 years until the Baltimore Trust Building (now known as 10 Light Street) with its opulently appointed main floor, opened just in time for the crash of 1929. The latter was to be their last quarters until the Piper & Marbury union in 1952, almost a quarter century later.

Due to the need for even further space in 1972, the firm had to leave the First National Bank Building for the 19th and 20th floors of the nearby First Maryland Building, at 25 South Charles Street, space which the firm then envisaged as home for, at least, 20 years to come. Such was not to be, however; their wanderings did not cease, for on March 12, 1979, the need for even larger quarters saw a displacement across Charles Street to 36 South Charles into five floors of Charles Center South.



William L. Marbury, Sr. mounted on "Sorrell"



James Piper, circa 1935



William L. Marbury, Jr.

## Arthur W. Machen

by his grandson, Arthur W. Machen, Jr.

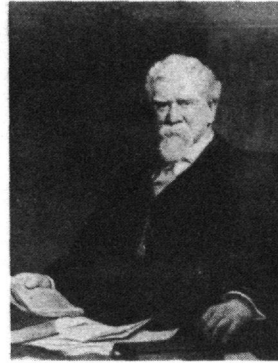
Arthur W. Machen, the progenitor of four successive generations at the Baltimore Bar, came to this City in 1852 following his graduation from Harvard Law School and a year of post-graduate work in collaboration with Professor Parsons on his monumental treatise on the law of contracts. In the ensuing 63 years until his death in 1915 this eldest Machen achieved a remarkable standing among the greatest lawyers in the history of our State. A charter member of the Bar Association of Baltimore City, he served as its 19th president from 1897-1898 and for thirty years was president of the Library Company of the Baltimore Bar.

At the time of his admission to practice before the Court of Appeals, three legal giants, Reverdy Johnson, John Nelson and John V. L. McMachon, were the acknowledged leaders of the bar, soon to be followed by such men as Thomas S. Alexander, William Schley and I. Nevitt Steele. As stated in the Published compilation of Machen's letters, "He survived not only all of them but also his own contemporaries, Bernard Carter, John P. Poe, Charles Marshall, William A. Fisher and others scarcely less deserving of reputation. He even saw men like Edgar H. Gans who were born when he was in middle life come to the bar, rise in eminence and pass away."

Throughout his long and distinguished career he steadfastly maintained that in his judgment the greatest Maryland lawyer of his time was I. Nevitt Steele.

During the period covered by Volume 10 of the Maryland Reports in 1856 to 110 Md. in 1909, Machen's appearance was entered in 204 cases, surpassed only by 295 for John P. Poe and 224 for Bernard Carter. William Shepherd Bryan, I. Nevitt Steele, Charles Marshall, William A. Fisher and Edgar H. Gans accounted for those with more than 150 appearances in the same period. It was an extraordinary era in which a small cadre of lawyers of outstanding capacity dominated the practice of law in this State.

A permanent resident of Baltimore since his arrival in the City in 1852, Machen's early career was, nonetheless, centered in Baltimore County where he entered into partnership with Richard J. Gittings in the firm of Machen & Gittings. Their headquarters were in the small brick building on the corner of Pennsylvania and Washington Avenues, later owned by Harry T. Campbell & Sons and recently moved as an item of historical preservation to the property owned by the Towson YMCA. It was during this period that Machen assisted Gittings, then the State's Attorney for Baltimore County, in the prosecution of the most sensational case of the day, *State v. Cropps*.



Arthur W. Machen, Sr.

The case arose in the heyday of gang warfare in the streets of Baltimore, the era of the Know Nothing Party. Robert Rigdon, a courageous witness in an arson case in Baltimore City had given his testimony despite open threats on his life and was thereafter gunned down in a wanton display of disrespect for law and order. The ensuing murder case was removed to Baltimore County because of tensions in the City. Every day during the long trial at Towson town, Machen would ride on horseback the ten miles from his Monument Street home much to the concern of his family, but he scoffed at the danger; the ruffians who terrorized the streets in those days had nothing but contempt for the lives of their peers but a corresponding respect for lawyers who were seen only as doing their

job. Machen so perceived it and suffered no harm.

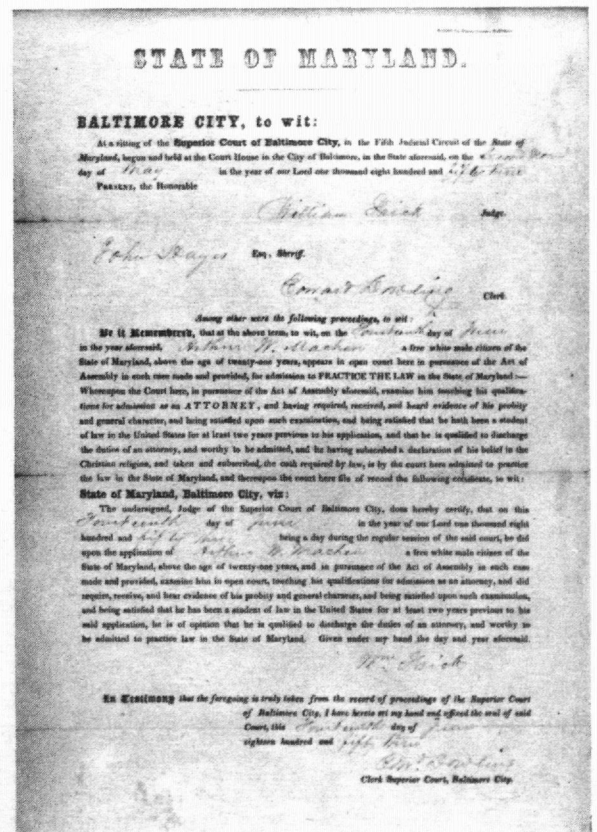
After the conviction doubt continued to becloud the result because of irreconcilable conflict in the testimony. However, as the convict was being led to the scaffold he handed to one of the witnesses a scrap of folded paper to be read after his death. It said, "It was me that shot Rigdon but I have repented of it."

That paper is preserved to this day among the Machen family archives.

After Gittings' death, Machen settled down to a long and lucrative civil practice in Baltimore City, spending much of his spare time in the collection of an impressive library of incunabula and other rare books of ancient vintage. Upon his death in 1915 an editorial in the Baltimore Sun concluded its tribute with these words:

"The lawyer of to-day is necessarily in a hurry. The competition is greater, the rewards are larger for the elect. We cannot expect the same breadth of culture as in the earlier days, though legal learning and legal ability may be as profound and as marked as in the past. But when we review a career like that of Mr. Machen, we cannot but regret that the old school of legal training has so few representatives remaining, in this country at least, and that keen but narrow specialists occupy so large a place in a profession which was once the centre of literary arts and graces."

O Tempora! O Mores!



Arthur W. Machen, Sr.'s License to practice — 1853

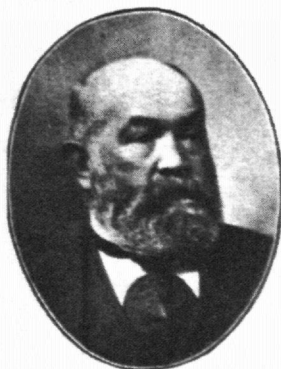


## Richard M. Venable, Edwin G. Baetjer, Charles McHenry Howard, And Harry N. Baetjer

Extracted from a paper delivered by John Henry Lewin, Sr.  
Edited by William J. McCarthy

Any history of the most outstanding legal practitioners of the Baltimore City Bar over the past century must include the four earliest partners in the firm of Venable, Baetjer and Howard.

Richard M. Venable was born in Virginia in 1839. He was graduated from Hampden-Sydney College in 1857. He commenced his legal education at the University of Virginia, but with the outbreak of the Civil War he joined the Army of Northern Virginia with the Richmond Howitzers in 1861 as a private, and rose at the age of about 24 to be Major of Artillery and Engineering in the Confederate Army, serving first in Virginia and later in the Trans-Mississippi Department. At the close of the Civil War, he (like so many former army officers), took to teaching. He was at first Commandant of Cadets and Professor of Engineering at the University of Louisiana, then Professor of Mathematics at what is now Washington and Lee, serving there under his old commander, Robert E. Lee. There he resumed his study of the law and received his LLB degree from Washington and Lee in 1868. Shortly after 1868, Major Venable practiced law in Baltimore, from 1871 to 1892 as a partner of Mr. Joseph Packard in the firm of Venable and Packard. From 1872 to 1906 he was Professor of Real Property and a lecturer in several other courses in the night law school of the University of Maryland. Major Venable was a tall man with a distinguished bushy Civil War beard. He was very civic minded, serving Baltimore as a member of the City Council, as President of the Trustees of The Johns Hopkins Hospital, and as Trustee of The Johns Hopkins University.



Richard M. Venable (1839-1910)

Major Venable was a faithful member of The Maryland Club, arriving and leaving there at exactly the same hours each day. There he engaged in chess and conversation, and was known as

the best chess player in the city. Though learned and deeply serious, he joked about everything. One of his eulogists says that "He could turn a real joke almost unconsciously." He delighted to badger a fellow city councilman named George Howser by always addressing him "How, sir?" followed by a guffaw. One night he had his fellow councilmen to a good dinner at his house. After dinner, he took them into the parlor. There, taking off his coat, he lay on the floor and showed them how he could balance chairs on his feet.

Major Venable died in 1910, still a bachelor, and, at his direction, his body was cremated and his ashes scattered in Druid Hill Park.



Edwin G. Baetjer (1868-1945)

Edwin G. Baetjer, born in 1868, was 29 years younger than Major Venable. He sat at Major Venable's feet at the University of Maryland Law School, graduating there with honors in 1890, winning the prize for the best grade in all examinations. It is no wonder that Major Venable was impressed with him, and no doubt their mutual aptitudes for figures made them congenial. Mr. Edwin Baetjer was also a bachelor. He was a director of the Safe Deposit & Trust Company, director of the Mercantile Trust Company (then separate institutions), and director of the United Railways Company and Dun & Bradstreet. He served as president of the Bar Association of Baltimore City from 1917-1918. He was also civic minded. He was Chairman of the Draft Appeals Board in 1918, and Federal Food Administrator for Maryland in the First World War. He also was a trustee of The Johns Hopkins University. His greatest interest outside law and finance was natural resources — particularly the Chesapeake Bay, and he was a member of the Maryland Natural Resources Conservation Commission. On his vacations he was an avid hunter and fisherman, as evidenced by the magni-

ficent moose head that is now mounted in the Bar Library. Mr. Edwin Baetjer died in 1945.



Charles McHenry Howard

Charles McHenry Howard, a great grandson of Francis Scott Key and Colonel John Eager Howard of Revolutionary War fame, was born in 1870 and died in 1942. He was graduated with honors from The Johns Hopkins University in 1891, and with honors from the University of Maryland Law School in 1893. It is no wonder that his professor of real property, Major Venable, was impressed with him also. Mr. Howard, in addition to being the best all-around Baltimore lawyer of his time, was a trustee of the Peabody Institute, President of the Maryland State Bar Association (1927-1928), a Second Vice President and Member of the Council of the American Law Institute, to the Restatements of which he made important contributions.

Mr. Howard was a short, stout, impressive man — melancholy looking — with a quiet, gentle, rather retiring bearing, every inch the scholar (who read Greek when ill), and every inch the gentleman. As he walked the streets, his eyes were generally fixed thoughtfully on the ground. On his vacations he used

to love to visit a lake in Western Maryland where he would lie on the surface of the lake enjoying the sky and surrounding beauties of nature for hours at a time. He was a learned technical lawyer. He and Edwin G. Baetjer complemented and supplemented each other completely — the latter independent, impetuous, sarcastic, mathematical, practical, and impatient of the precedents; the former calm, studious, informed of the decisions and clear of statement. They were both extremely dignified, reserved in manners, and were indeed men of "infinite resource and sagacity."

The exact year in which Major Venable and his two former students formed Venable, Baetjer and Howard is somewhat in doubt. It had offices at 206 North Calvert Street for a few years before removing to the Continental Building. The firm may have been formed somewhere between the law school graduation of Mr. Howard in 1893 and the year 1900. The latter date is given by some Bar Association accounts, and the firm's cash book was opened that year. The romantic story of the law professor definitely arranging for the firm with two students of equal merit in the same law school class is, no doubt, apocryphal. Mr. Edwin G. Baetjer was graduated in 1890 and practiced alone for a number of years at 10 E. Lexington Street. His list of files numbering more than 1,700 is still extant. The firm of Venable and Packard was dissolved in 1892 for reasons unknown. After its dissolution, Mr. Packard continued to practice alone in Baltimore and died in 1923. Mr. Howard was graduated in 1893. No doubt Baetjer and Howard were law associates of Major Venable for a few years before the firm was formed.

Harry N. Baetjer, fresh from law school, joined the firm in

1903, and he died on April 5, 1969. Mr. Harry Baetjer was an excellent lawyer. But his sterling character, his integrity, his generous fairness, and his lovable nature were his outstanding attributes. Then, too, he had many endearing idiosyncrasies. Generally speaking, he divided all men into "men of capacity" and "men of no capacity." Some in the latter category were further derogated as having "no more sense than a chicken," and some as being "querulous."

During the whole of his sixty-six years of practice, Mr. Harry Baetjer occupied the same small office and had the same small desk located on the same spot in the office. This was the original library of the firm, and he had been given his desk in it in 1903. During most of his life, he enjoyed acquiring interesting pictures, including fine old prints of Baltimore. The walls of his little room were covered with them.

Mr. Harry Baetjer was completely wrapped up in Venable, Baetjer and Howard. He admired it; he was proud of it; he loved it. Except for his home and family, it was his entire life. Always dressed in mourning for the early death of his wife, he never took a vacation. He was distressed if he missed a day from the firm. He also admired and was proud of his individual partners. They were "men of capacity," and their performance he used often to say was "top hole."

Mr. Baetjer's chief interest in the law was in advocacy. Brother Ed had been a great advocate, and the advocacy trait and talent appealed strongly to his brother. Yet he was so human about it all. He is remembered to have said on one occasion, "We hold ourselves out to be trial lawyers anxious to try cases. And yet the thing that pleases us most and makes us feel that we have had the best day is when we get a postponement."

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## A Brief History of Niles, Barton & Wilmer

by Carlyle Barton, Jr.

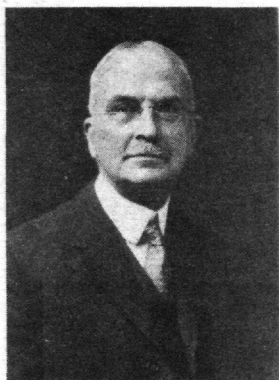
In 1838 when the Baltimore and Ohio Railroad was doggedly pushing its tracks from Harpers Ferry to the Ohio River in competition with the Port of New York for freight traffic from the west which continues to this day, the first of four law firms which were the progenitors of the present firm of Niles, Barton & Wilmer was formed by George William Brown and Frederick W. Brune. The firm prospered. In addition to his practice of the legal profession, Brown became involved in local politics and was Mayor of Baltimore City on April 19, 1861 when the Sixth Massachusetts Regiment began its march along Pratt Street to take the B & O at Camden Station to Washington. Brown, although no Unionist, unsuccessfully attempted to prevent disorder. He was rewarded for his efforts several months later by being arrested as a southern sympathizer and sent to Boston with others where he spent fourteen months in detention at Fort Monroe and Ft. Warren. After his release, Brown took an active part in the Constitutional Convention of 1867. In 1873 he was elected to the post of Chief Judge of the Supreme Bench of Baltimore City. He later served as President of the Bar Association of Baltimore City and died in 1890.

The firm of Brown & Brune was well remembered on the occasion in 1939 of its 100th anniversary by a then senior partner who remarked to his partners and associates:

"... I have seen their fee books of '41 and '42 showing gross receipts of around \$2,000 each year. The items showed vast and important legal services, figures at \$10 and \$15 a piece. How far the dollars went in those days! Perhaps tonight we shall hear of our hopes and fears, but with the higher cost of living, and in depreciated currency, our services must be estimated on quite a different scale." (Some of us recall that in 1939 and for a short period thereafter Associates were taken into law firms in the City at \$1,000 to \$1,200 per year. How this compares with 1980!)

Mr. Brown also found time in his busy life to serve the Boards of Trustees of the Johns Hopkins University, the Peabody Institute, the Enoch Pratt Library, and St. Johns College.

At about the time in 1861 when Brown was languishing in the Federal prison in Boston because of his southern sympathies, two young men, Randolph Barton and Skipwith Wilmer, who had trained briefly at the Virginia Military Institute and were later commissioned as officers in the Confederate army, were captured by Federal troops



Judge Alfred S. Niles (1860-1926)

during a battle near Harpers Ferry and both were brought to Baltimore and confined for a time in the Baltimore City Jail. They were subsequently released and returned to the battle, and Mr. Barton later, in company with two other gentlemen, carried the first flag of surrender at Appomattox on the orders of General Lee. In 1867, two years after Appomattox, Messrs. Barton and Wilmer came to Baltimore and established a law practice under the firm name of Barton & Wilmer, another progenitor of the present firm. Thus, we have among our founders two jailbirds.

Two of Mr. Barton's seven sons, Randolph and Carlyle, followed him into his law firm. Randolph Barton stayed with the firm for the balance of his life. In 1915 Carlyle left the firm and joined Judge Alfred Niles who had retired from the Bench to form the firm of Niles & Barton.

In 1899, when the Brown & Brune and Barton, Wilmer firms were well established, the firm of Gans & Haman was formed. This firm, under a different name, later included among its members W. Calvin Chesnut and Charles Markell. The Gans & Haman firm merged with the firm of Brown & Brune in 1948. This firm, which in 1961 was known as Markell, Veazey & Gans merged with Niles, Barton, Yost & Dankmeyer and assumed

the name of Niles, Barton, Gans and Markell and in 1968 the Niles, Barton firm merged with the Barton, Wilmer firm to become known as Niles, Barton & Wilmer.

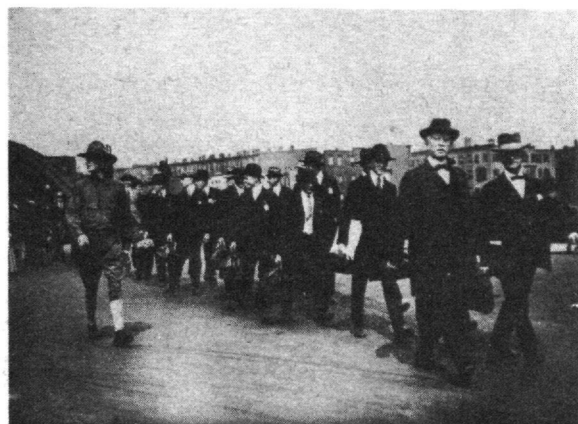
A recitation of the biographies of the men who made up the partnerships of these four law firms is neither possible nor is it desired. The firms at one time included among their membership many distinguished judges, among them, W. Calvin Chesnut, who served on the Federal Bench for many years; Charles Markell, who served as a member and later Chief Judge of the Court of Appeals of Maryland; George William Brown, a Chief Judge of the Supreme Bench; Judge James Ambler; Emory H. Niles, a Rhodes Scholar, an active practitioner of maritime law, the founder of American Maritime Cases and in later years a member of and then Chief Judge of the Supreme Bench of Baltimore City; Judge S. Ralph Warnken, a member of the Supreme Bench of Baltimore City, now retired.

The firm has numbered among its membership Herbert M. Brune, a direct descendant of the founder, Frederick W. Brune, and author of *Maryland Corporate Law and Practice*.

Among the outstanding lawyers whose professional lives were spent with the present firm and its predecessors were the Randolph Bartons, father and son, Hilary Gans, Charles R. Rusicka, and many others.

It has also numbered many who were active leaders in the Bar Association of Baltimore City, the Maryland State Bar Association and the American Bar Association.

Its partners through the years have also been active in the civic and religious affairs of the City. Carlyle Barton, for example, served as a vestryman of his church and later Chancellor of the Diocese of Maryland, a position now held by Arthur W. Machen. Mr. Barton also served for many years as a member and later Chairman of the Board of Trustees of the Johns Hopkins University. Mr. Barton's partner, George S. Yost, was active for many years as one of the leaders of the second English

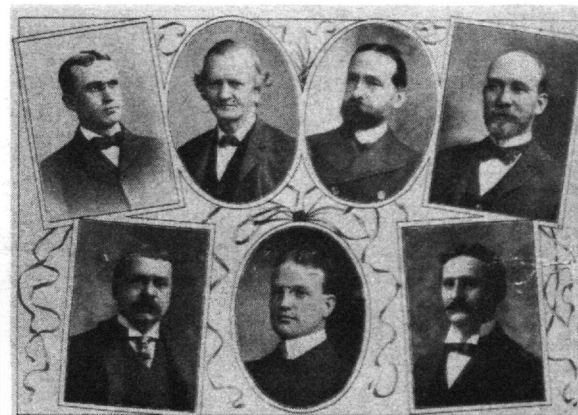


Colonel Randolph Barton leads a cadre of enlistees to training camp in World War I.

Lutheran Church and was a 33rd Degree Mason. Others of four predecessors were also active in the civic affairs of the City.

We suspect that this combination of outstanding professional leadership as well as active par-

ticipation in the public and civic affairs of the City typifies the activities and lives of many members of the legal profession throughout the history of the Bar Association of Baltimore City.



(Top Row: Sam'l K. Smith, Luther M. Reynolds, Geo. R. Willis and Francis T. Homer. Bottom Row: A. deR. Sappington, Henry Hampton Pickett and James W. Chapman, Jr.)

## The Lawyer's Prayer

Ordained to tread the thorny ground,  
Where few I fear are faithful found,  
Mine be the conscience void of blame,  
The upright heart, the spotless name,  
The tribute of the widow's prayer,  
The righted orphan's grateful tear.  
To virtue and her friends a friend,  
Still may my voice the weak defend!  
Ne'er may my prostituted tongue  
Protect the oppressor in his wrong,  
Nor wrest the spirit of the laws  
To sanctify a villain's cause.  
Let others with unsparing hand  
Scatter their poison through the land;

Inflame dissension, kindle strife,  
And strew with ills the path of life.  
On such her gifts let fortune shower,  
Add wealth to wealth, and power to power;  
On me may fav'ring Heaven bestow  
That peace, which only good men know,  
The joy of joys by few possessed,  
The eternal sunshine of the breast.  
Power, fame, and riches I resign;  
The praise of honesty be mine,  
That friends may weep, the worthy sigh,  
And poor men bless me, when I die.

Written in the year 1828 by William George Baker, Esquire (1809-1855) of the Baltimore Bar



Law offices of Niles, Wolff, Barton & Morrow in the Equitable Building, May 6, 1915. (Seated, L-R): Judge Alfred S. Niles, Miss Merback; Standing, (L-R): Carlyle Barton, Sr., Chester F. Morrow, Frank Ragland, William J. Stocksdales.



## The "New Judge Movement" of 1882

By Judge Joseph Sherbow

Excerpts From An Address Delivered March 29, 1934 Before the  
"Luncheon Club" of the Bar Association of Baltimore City  
at the Southern Hotel.

The political machine had won again. As usual, it controlled all nominations, even for judges of the Supreme Bench of Baltimore City, and nomination at that time was equivalent to election. Only one candidate had the temerity to enter the lists against them. True, only a very small part of the electorate had gone to the polls to vote in the primary, but after all that is how bosses control elections. Give them the primary machinery, and that is all they need — because the general public can only vote for their hand-picked candidates in the general election.

The judicial convention met shortly thereafter and duly ratified the choice "of the People" in the primary.

Then came the deluge. A rising tide of resentment reached its full flood and carried on by the bitter feeling of an outraged populace at the boldness of the politicians, in attempting to reach into the very halls of justice and name even the judges, found its spokesmen in a few courageous lawyers and business men. Like crusaders they swept on through a turbulent election to a smashing victory and carried the day for a judiciary unfettered, untrammelled and free from political domination and control.

This is not a story of Tammany elections or reform movements that appear periodically and then fall back into the evil ways of machine ridden politics. It is a story of Baltimore City's fight to free its judiciary from political domination and keep its Bench from even the hint of scandal. It was a fight that was won by the people and a victory that stayed won.

The people of Baltimore are proud of their Supreme Bench today but it was not always thus in this city. On the contrary the revolt a little over half a century ago reached its climax because of the suspicion that the Bench was not untainted, or at least, not above suspicion. Whether justified or not, is beside the point; the people of Baltimore felt that way, and having lost confidence in their judiciary they were determined to obtain a Bench that would be above any suspicion.

After the State Constitution of 1867 was ratified judges were elected for 15 years. The terms of four were ending in 1882 and three of the incumbents were up for re-election. William Pinkney Whyte was then the real city leader and the local boss of the Democratic party. Knowing their own strength, and heedless of the rumblings and mutterings of discontent the city machine proceeded to renominate three of the sitting judges whose terms were expiring, namely, Robert Gilmor, Jr., Henry F. Garey, Campbell W. Pinkney and also

William Fisher, in place of one judge who was retiring. William A. Stewart, who dared to oppose them in the primary, was badly defeated, but only eight thousand Democrats had gone to the polls to vote in the primary. After all they were merely ratifying the choice of the Democratic leaders. On October 5, 1882, the delegates chosen at the primary election met in judicial convention at Ford's Opera House and promptly ratified the ticket. Campbell W. Pinkney was a brother of Mayor William Pinkney White, but for family reasons he had changed his name. This was said to be due to a bitter family quarrel with another branch of the family.

consequent immunity from indictment, it is a legitimate matter of speculation how many of them got into trouble of this kind during previous years, when their tastes and disposition were probably the same and their political influence was less."

Slowly public feeling began to assert itself, at first quietly and then with a roar. It lacked leadership and while the rank and file of the Bar opposed the renomination of the sitting judges they hesitated to express themselves openly. Since only 8,000 votes had been cast in the primary, the friends of William A. Stewart, defeated Democratic candidate proceeded to help crystallize this sentiment.

On October 14, 1882, three hundred and fifty citizens, all leading business men, in a signed statement called upon the people to select other judicial candidates without regard to

They talked boastfully of success; they would win as always. With their control of the negro vote and with a well-filled campaign chest, and a strongly entrenched organization, they could only see overwhelming success for their ticket. The reform leaders were determined, however, and one of them said:

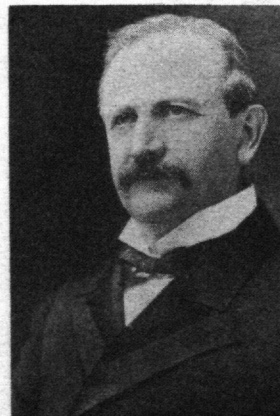
"It is not proposed to start out with a brilliant illumination and then to allow the lights to burn dimly and perhaps be extinguished, but the movement will be well officered and strongly manned from start to finish."

On October 18, 1882, the opposition took concrete form. A mass meeting was held at the Concordia Opera House. It was a great assemblage of earnest citizens and unlike ordinary political meetings was characterized by the complete absence of political leaders or ward followers. It was a gathering that challenged and compelled respect. J. Hall Pleasants presided and every seat was taken, with every available inch of standing room crowded.

Leaders of the Bar were there — Richard Venable, Joseph Packard and many others. William Keyser, business man and civic leader, set the keynote when he said:

"You are asked to join in giving to this great City of Baltimore for the next fifteen years a judiciary free from party trammel and corrupting influence, to place upon the Supreme Bench men who from their lofty position can look down with unconcern upon the strife of party, and hold aloft the evenbalanced scales of justice, and guarantee to every good citizen protection both for life and property, and mete out to all offenders without fear or favor the just punishment for their crimes."

A nominating committee was named and after some deliberation reported as its choice, William Fisher, William S. Stewart, Charles E. Phelps, Democrats, and Edward Duffy, Republican. There was some opposition to the choice of Fisher by the independents, as he was also on the regular organization ticket. Major Venable quieted this feeling by assuring the gathering that "the Ring had only put Fisher on their ticket as a disinfectant." The committee's choice was ratified amid enthusiastic applause.



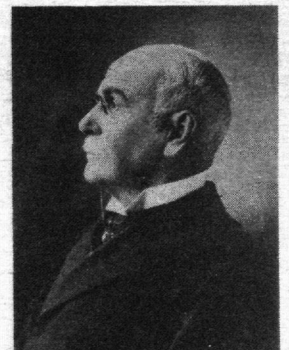
Judge William A. Fisher

The Republican Judicial Convention met the next day and by a vote of 96 to 4 endorsed the complete Independent ticket.

Then the fight was on in earnest. The campaign was a short but furious one and characterized by bitter feeling. The city press was divided. The Sun favored the new judge ticket, while the News and American supported the regular organization ticket. Later, on the eve of election, and out-and-out Republican ticket was put in the field and was supported by the American, but this ticket met overwhelming defeat.

John P. Poe, eminent lawyer and sterling fighter, remained loyal to the organization ticket and called upon the Democratic Party to "put its heel upon the serpent of independence which raises its head now to imperil Democratic supremacy."

Henry M. Warfield, twice the reform candidate for Mayor, actively supported the old judge ticket, but the fight was really led by Mayor Whyte and by Rasin, then coming into real political prominence. There were rumors that the reform movement was secretly encouraged and promoted by Senator Gorman, State leader, with the object of destroying what was left of Mayor Whyte's political influence in order to enhance his own.

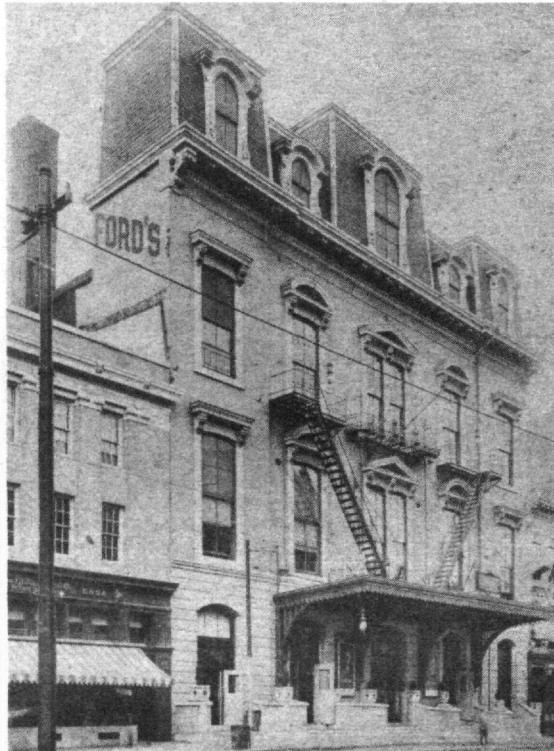


William Pinkney Whyte, Mayor at the time of the New Judge Movement, 1882.

William Pinkney Whyte, a master of invective, flayed the leaders of the reform movement. There was an epidemic of smallpox prevalent at the time and at one meeting he said, "I heard that there was a kind of infectious disease known as independence in this ward and I felt tempted to bring a yellow flag. \* \* \* Some say I am too much of a politician to be Mayor of this City. Maybe I am, but the leopard might as well change its skin as for me to cease to be a Democratic politician."

The reform movement was not lacking in enthusiasm. A monster ratification meeting was held at the Concordia Opera House and long before eight o'clock there wasn't even standing room. The speakers were lawyers and merchants all prominent in civic affairs. The meeting was a magnificent popular demonstration and showed that the people were thoroughly

(Continued on Page 17)



Ford's Theatre on Fayette Street between Howard and Eutaw, where the "Old Judges" were nominated.

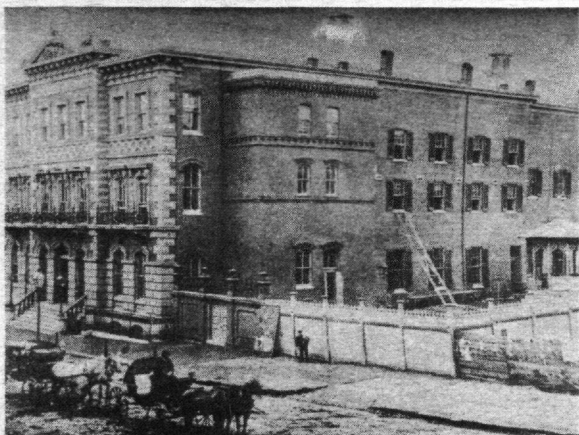
Speaking of this judicial convention, R. D. Morrison, a prominent lawyer said: "If an apple had been tossed over the delegates the chance would be one in three that it would have fallen on the head of an office holder, and two in three that it would have fallen on the head of an office holder or office seeker."

The Sun in an editorial said: "A careful examination of the dockets of the Criminal Court from 1878 to 1882 discloses the interesting fact that of the delegates who attended the regular Democratic judiciary convention, thirteen members or one-fourteenth of that body have stood as defendants at the bar of the Criminal Court within those five years. As this time in most cases covers a period of very active political usefulness and

politics. They condemned the recent primaries and the manner in which they were held. Their open letter addressed to the people of Baltimore said: "No citizen who rightly appreciates the gravity of the interests, public and private, involved in the coming election, can have witnessed recent events without profound apprehension and concern. This usurped power has been found objectionable, even when applied to offices of a purely political character, but which when applied to that of a judge, tends to exalt the claims of allegiance to party above the highest behests of public duty."

The regular political organization was not alarmed at this action and openly scoffed at the idea that a reform movement could be successful in Baltimore.





Concordia Opera House, Eutaw and Redwood Streets, where the New Judge Convention met in 1882.

(Continued from Page 16)  
aroused.

Many leaders of the Bar had declared themselves for the new judge ticket, including John K. Cowan, Charles J. Bonaparte, Richard M. Venable, William L. Marbury, Lewis Hochheimer and Henry Stockbridge, but that valiant warrior for reform, Severn Teakle Wallis, was silent. Finally he wrote a long letter explaining his stand and stating that he would take no part in the campaign. Both sides attempted to make capital of his statement and all sorts of constructions were placed on his attitude. On October 30th he wrote an open letter which was published in *The Sun* and said, "I do heartily approve of the methods and grounds of actions of the Independents in their present movement, in so far as they have been publicly disclosed or have come to my knowledge, and in so far as I have declined to take an active part in the movement it has been for personal reasons only, and not because I have the slightest doubt that it deserves my support and the support of the whole people."

Just one week before the election the city rocked with disclosures of repeating and other frauds in the councilmanic elections held on October 25, 1882, and prosecutions were immediately begun. The evidence showed that officials high up in the Police Department were involved — in fact were the guiding heads. The department was warned that it was on trial; "The public will judge it justly but severely, and it will stand or fall according to the judgment it deserves."

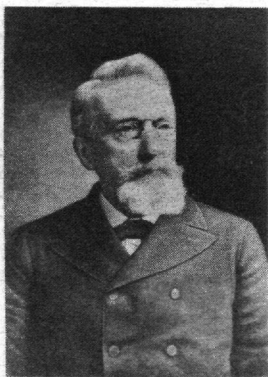
Marshall Grey announced that the police would preserve order



Judge William A. Stewart

and assured the Independents that the election would be fair. They took no chance, however. They called for volunteers to man the polls on election day and on the Saturday before the election announced:

"Repeaters from Washington and elsewhere who have been engaged for Tuesday next by the ring are hereby warned to supply themselves with return tickets; otherwise, as the Ring will be busted on that day, they will have to walk back."



Judge Charles Edward Phelps

In the meantime a straight Republican ticket was put into the field, but it was clear that this was only a belated effort to divide the vote. Fraudulent sample ballots were circulated in some of the wards and rumors of all sorts of combinations and deals were spread.

The American attacked the activity of some of the lawyers who were battling for the reform ticket and said: "Railroad lawyers are generally very busy men, but Mr. Carter and Mr. Cowan appear to have switched off to look after the independent movement. However, that is railroad business too, and is being engineered by a railroad corporation."

There appeared about this time a paper of uncertain origin called the "Independent," which was characterized as an "indecent, mud-slinging sheet." It did the reformers' cause more harm than good. They disowned it, but it persisted in its violent attacks on Whyte and the regular organization until the day of election.

Then came election day. Strangely enough there was no fighting, no brawling, little intoxication and very few arrests.

Let the newspaper headlines tell the story.

"A Great Day for the Cause of the People."

"Bosses Beaten at the Polls."

"Independent Judiciary Ticket Gets Over 10,000 Majority."

"The Ring Machine Smashed."

"Cleveland Elected Governor of N.Y."

"Republican Ticket Gets 1,200 Out of 55,000."

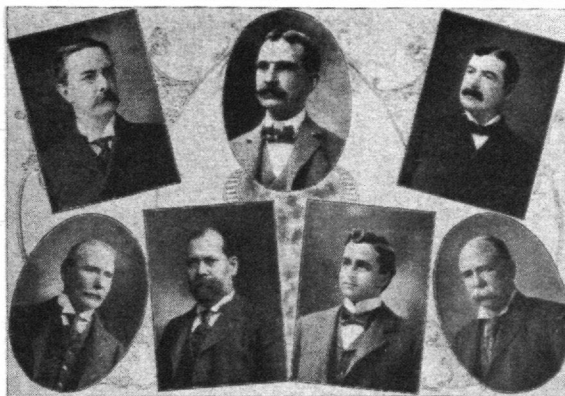
In an editorial the next day, *The Sun* said: "In a short but brilliant campaign the people have broken the power of the Ring so utterly that it will be long before it will again dare to defy the will of an outraged people. With an organization that seemed to defy successful attack, with the patronage of the whole city in control of the few men who arrogated to themselves the right to set up and pull down candidates for office, and who even dared to lay hands on the Supreme Bench of this city, with all the worst elements of the party under their control and skilled in all the arts of professional politicians — with all those malign yet powerful forces to aid them, with all the daily morning and evening newspapers in this city — Republican and Democratic — except *The Sun*, enlisted to fight for them, they have been beaten, and beaten so thoroughly that all the strength which portions of the better elements of the Democratic party lent them for what they perhaps thought was best, collapsed when the people rose in their might, and massing at the ballot, cast them indignantly down."

It was a hard fought victory, and one of the few reform movements in this country that has stayed won. Our Supreme Bench has never since been in politics — sometimes it has been strong — sometimes weak — but always free from the domination of political bosses.

The political leaders and bosses who followed Whyte and Gorman — Rasin, Mahon and Kelly, were always keenly interested in the judiciary, but profiting by the lesson of 1882 never attempted to dictate the naming of our judges.



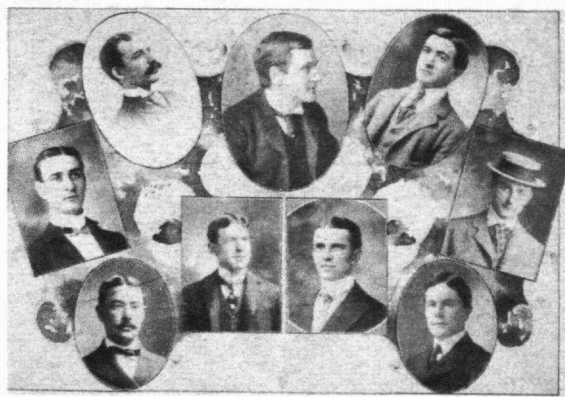
Judge Edward Duffy, the first Republican to be elected to the Supreme Bench, a victor in the New Judge Movement.



(Top Row: John E. Semmes, Alfred S. Niles and Oscar Wolff. Bottom Row: Archibald H. Taylor, J. Leland Hanna, Robert H. Carr, Jr. and N. Rufus Gill.)



(Top Row: Joseph W. Bristor, Hess Greenbaum, John B. Keplinger and James A. McCarthy. Bottom Row: Harvey H. Rouzer, G. Guy Wilson and Sylvan Hayes Laucheimer.)



(Top Row: James R. Brewer, Jr., Henry Duffy, Robert M. McLane, Edgar Allan Poe and John Phelps. Bottom Row: William C. Smith, Geo. W. Cameron, Franklin T. Upshur and Morris Ames Soper.)



(Top Row: James W. McElroy, Thomas M. Lanahan and Frank Gosnell. Bottom Row: Conway W. Sams, Wm. Shepard Bryan Jr., Geo. R. Gaither, Jr. and Thomas Ireland Elliott.)



## The Fisher Family

(Abraham H. Fisher, Samuel J. Fisher,  
Allan H. Fisher and Morton P. Fisher)

By Morton P. Fisher, Jr.

Abraham H. Fisher, one of the few judges who became a lawyer after he became a judge, was the forerunner of the family tradition of Fisher lawyers who have practiced law in Baltimore for over three quarters of a century. Abraham Fisher first attended law school when he was over the age of 40, a rare feat during the late 1800s. He was appointed as the first Judge of what was later to become the People's Court and we are told that the jurisdiction of the cases which came before him was from \$2.00 and down. Beginning in 1896 when he was appointed to the bench, he earned his living from the 60 cents he collected for each case he heard. Actually, his primary duty, as we understand it, was to act as a prothonotary, a forerunner of the present notary public, and it was his task to affix seals to documents received from other States which were to be recorded in Maryland.

It takes no assessment of the Consumer Price Index to understand that even in the early 1900s, 60 cents per case was hardly enough for Abraham Fisher to pay for his sons' bus fares, much less tuition to law school. Consequently, each of his three sons, Samuel, Allan and Morton, worked their ways through college and law school. Actually, Abraham died before Allan completed law school and before Morton entered college.

Samuel, Allan and Morton each attended the University of Maryland and each excelled in his respective class. Samuel (or "Sam") as he was known, began his career assisting his father in writing letters and after he completed law school, he began his own firm upon graduation in 1909. Allan joined the firm upon his graduation from law school in 1911 and the firm of Fisher & Fisher was born and continued in existence for over 60 years. Morton then joined the firm upon his graduation from law school.



Samuel J. Fisher

Sam remained with the firm until his death in 1971. During the several decades prior to his retirement, Sam also served as a Master in Chancery beginning in 1949 and enjoyed many long hours of testimony relating to domestic matters. Sam served as President of the Bar Association

of Maryland in 1940-41. In addition, Sam began a tradition for the Fisher Family lawyers of teaching at law school. Allan and Morton also taught at law school and this tradition has been followed by Allan, Jr. who taught at University of Baltimore for many years and Morton, Jr. who is currently associated with the faculty at the University Maryland Law School.

Allan also worked with the firm during most of his legal career and until his untimely death in 1939. During his years away from the family firm, Alan served as an attorney for the Federal Trade Commission in 1917, as an Assistant Attorney General of Maryland during the term of office of Alexander Armstrong from 1920-1923 and as Special Assistant to the United States Attorney in 1930-31.



Allan H. Fisher

While a student in law school Allan was the author of the first edition of "Essentials of Maryland Pleading" and co-authored the second edition with Morton and Judge James P. Gorter. The cogent discussions in the book of Actions *Ex Contractu* and Actions *Ex Delicto* is a fond remembrance of things past.

Alan served as Vice-President of the City Bar Association in 1936-37.

Morton, after practicing with the firm for several years, began a distinguished career in public service. He served as Special Assistant to the Attorney General in the Tax Division of the United States Department of Justice and enjoyed the honor of handling the first tax appeal ever argued in the Division in 1928. He was with the Department of Justice from 1928 to 1930 and then served as Assistant United States Attorney under the renowned Amos Woodcock. He returned to Fisher & Fisher and at the age of 45 but left the firm in order to serve with the United States Army during World War II, where he served as Chief of Public Finance, Branch of the Finance Division of the Military Government and as the United States



Morton P. Fisher

Delegate on the Four Nation Commission that was charged with the setting up of tax laws for Germany following the end of the war.

Morton also served as Chairman of the Tax Section of the American Bar Association which ultimately led to his appointment as a Judge of the United States Tax Court in 1954. Morton served as a Judge on the Court and actually died while ascending the bench in 1965.

If known for anything, the Fisher brothers were all known for their sense of humor. Sam could not go through a single divorce hearing without cutting through the tension by telling a humorous story or anecdote. The feelings and emotions popularly believed to exist as shown in *Kramer vs. Kramer*, rarely, if ever, existed in Sam Fisher's hearings.

Morton was also known for his sense of humor. As reported in the Minneapolis Star (June 30, 1959), during a lengthy and complex tax trial, the trial nearly came to a standstill when a witness was unable to identify some documents because she left her glasses at home. "My wife sometimes uses mine", Judge Fisher said, removing them and handing them to the witness. "Why don't you see how they'll do?"

"These are fine, thanks", the witness replied, and the trial proceeded.

Another incident fondly recalled occurred during a trial in Philadelphia when, for the first time, Adelaide, Morton's wife, first attended a trial over which her husband presided. The bailiff called the Court to order and asked everyone to rise. He noticed the woman sitting in the second row had not risen and instructed her to do so, whereupon she stated before the full courtroom: "But, I never stand up when he comes into the room." Such was a trial before Judge Morton Fisher.

After over three quarters of a century, the Fisher Family's attachment to the law remains intact.

## Judge J. Gilbert Prendergast, Sr.

By Jeffrey B. Smith

J. Gilbert (Gil) Prendergast, Sr. was born on August 9, 1909 in Harrisburg, Pennsylvania, the proud son of a railroad engineer. He attended public school in Pennsylvania and thereafter went to the University of Notre Dame, South Bend, Indiana. He graduated from Notre Dame *cum laude*, but seemed to be more satisfied by the fact that he played football under the immortal Knute Rockne. It was his association with Knute Rockne that brought him to Maryland. He sustained a knee injury in his junior year and was sent by Coach Rockne to Johns Hopkins for an operation. While he was in Maryland he met then Dean Roger Howell of the University of Maryland School of Law. Dean Howell encouraged Gil to decide to attend the Maryland Law School, a decision that Gil never regretted.

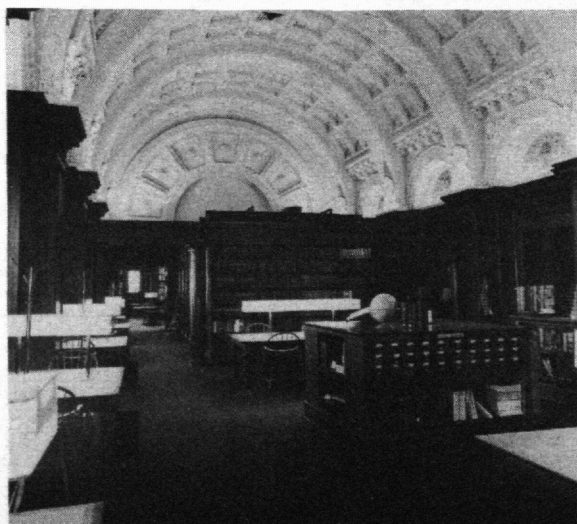
Gil Prendergast graduated from law school in 1933 and went to work initially as an insurance adjuster. Shortly thereafter he became an associate of the firm that was then known as Clark, Thompson and Smith (now Smith, Somerville & Case). He immediately went into trial work, principally handling the defense of personal injury claims on behalf of various insurance carriers. His association with the firm was interrupted in 1942 when he enlisted in the United States Navy. Gil served his country as a lieutenant on the *U.S. San Jacinto*, an aircraft carrier, in the Pacific campaign. He was honorably discharged in 1945 and returned to the law firm to resume his practice as a trial attorney. He always seemed to like the competition involved in "knocking heads" with all members of the opposition, but especially leading plaintiffs' counsel. The firm changed its name to Clark, Smith and Prendergast in 1954 when the Honorable Roszel C. Thomsen assumed a position on the United States District Court for the District of Maryland. Gil continued his relationship with the firm until

November, 1959 when he was named an associate judge of The Supreme Bench of Baltimore City.

Judge Prendergast served with distinction on the Supreme Bench until his death in July, 1973. During that period of time, he was the trial judge in the famous "Block Trials", involving prosecution of organized crime on the famous Block, and in the "welfare fraud" cases. He was particularly well known for his decisions as "Discovery Judge" and contributed heavily to that body of law, incorporated in part in the volume *Maryland Discovery Opinions*. Because he was fully aware of his relative inexperience in the fields of criminal and constitutional law prior to his appointment to the trial bench, he asked to be assigned to criminal court first, literally taking a self-imposed crash course on criminal law and the numerous recent decisions of the United States Supreme Court. By the time he took his position as an associate judge his knowledge of the field of criminal and constitutional law was equal to that of his peers.

Gil was an outdoorsman who loved to fish and hunt and could exchange "fishing stories" with the best of them. He was also an avid follower of the Mount Washington Lacrosse Team (Wolfpack) and was active in the Mount Washington club. A deeply religious man, he attended the Shrine of the Sacred Heart in Mount Washington from 1941 until his untimely death in 1973. He was survived by his wife, four children and ten grandchildren, the number of grandchildren increasing since that time. A son, John G. Prendergast, Jr., follows in Gil's fine tradition as a trial lawyer and partner in the firm of Smith, Somerville & Case.

Gil Prendergast will always be known as a forceful and truly excellent trial lawyer, and an able and just trial judge.



The beautiful Bar Library.

## The Best of Both Worlds

by Judge Avrum K. Rifman (Ret.)

Theodore S. Miller, the preceding President of the Bar Association of Baltimore City, had the occasion to transact some law business with an unusual group of lawyers who, in the 1940's and 1950's, occupied a corner of the 4th floor of the Equitable Building. Subsequent inquiry by Ted confirmed his opinion that the style and type of practice of this professionally homogeneous group represented "the best of both worlds", partnership *vis-a-vis* a mutual association of individual lawyers. At Ted's suggestion, Avrum K. Rifman, one of the senior surviving associates of Isaac Lobe Straus, Attorney General of Maryland, 1908-1912, who was a preeminent trial lawyer and brilliant statesman, undertook to describe their highly successful and harmonious association of lawyers.

In the early 1940's, Thomas J. Kenney was one of the important trial lawyers in the office of the United States Attorney for the District of Maryland. From time to time, Tom and Avrum K. Rifman had been successfully associated in several private law cases. Following the death of Isaac Lobe Straus in February, 1946, Tom discussed with Rifman the advisability of returning to the private practice of law. At that time his partner, Joseph O. Kaiser, was an officer in World War II. This writer esteemed Tom Kenney as a friend, a skillful and respected trial lawyer, and, above all, a man of impeccable honor. Before long, Tom resigned his Federal office and joined up with Avrum K. Rifman. When Joe Kaiser returned from the service, he resumed his partnership with Tom Kenney, and before long, Hugo A. Ricciuti, an acknowledged public oriented lawyer, became a member of our association.

Tom Kenney and Joseph O. Kaiser provided strong legal leadership and set the standards of quality in our office. Tom and Joe were the organizing geniuses. Whenever a problem faced us — and there were many — involving the construction and arrangement of the offices, Tom and Joe, or Joe or Tom, supervised its organization and the management of the entire operation. While Tom and Joe were carrying on an extensive private practice, alternately, they supervised and resolved the many important and troublesome matters which arose from day to day, such as the hiring and managing, and the receipt and distribution of all monies. It was not exactly a labor of love to them, but more like quiet, self-effacing big brothers in a family whose members became dependent upon them.

All of the members of our group were either friends, classmates in college or in law school, or were generally known to one another. Each member had sea-

soning at the Bar, and as lawyers and public officials they enjoyed a good reputation as decent human beings. They were all dedicated to the profession — not the business — of practicing law.

The greatest quality generated by this association — a highly unforeseen but hoped for result — was the consultation freely and readily one with the other, and without obligation of any kind, the referral of cases from one to the other, according to the talents and specialties required by the case under consideration. The fees were divided or apportioned with or without any prearrangement, and, without exception, no dispute ever took place over the apportioning of the fees. The reasons were simple. We did not compete with each other. We cheerfully cooperated with each other. None of us put any emphasis upon individual gain. We were concerned with the welfare of our team of lawyers. We trusted and respected one another, and each lawyer contributed a special talent that in time created a priceless synergistic strength, that made us a happy and contented family of lawyers.

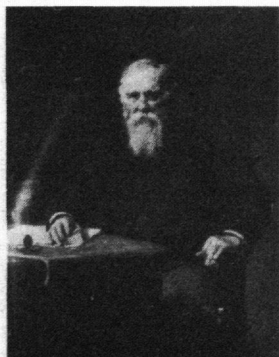
After several numerical variations in the composition of the group, the membership was radically reduced in number, and its longevity was drawing to a close, brought about, principally, by their appointments to important Federal, State and City Offices, or being called to the Eternal World much to our anguish and personal distress.

Thomas J. Kenney was appointed to the office of United States Attorney for the District of Maryland. The Supreme Bench of Baltimore City, and a Master-in-Equity of the Supreme Bench. Presently he is retired from public office. After long and distinguished service in the Bankruptcy Court, Judge Joseph O. Kaiser has recently retired with expressions of appreciation from the Federal Judges and the members of the Bar. Hugo A. Ricciuti, deceased, had been appointed City Solicitor of Baltimore, and later Chairman of the Employment Security Administration of the State of Maryland. State Senator Anthony DiDomenico, deceased, had also been elected as a member of the Baltimore City Council and served several terms as a Judge of the Orphans' Court of Baltimore City. John Carroll Power, the head of our real estate department, died in the prime of his life. Francis X. Gallagher, who died at a too, too, early age, had been an outstanding member of the House of Delegates, a renowned Maryland statesman, and a trusted and respected counselor of the Archdiocese of Baltimore. In recent years he

founded the prestigious law firm of Gallagher, Evelius and Jones. Helen Elizabeth Brown was appointed Assistant City Solicitor of Baltimore, Judge of the Housing Court, and served as a member of the Workmen's Compensation Commission until she reached the mandatory retirement age in 1970. Lucy Ann Garvey was the first woman appointed as an Assistant State's Attorney of Baltimore City. At a later date, Judge William O'Donnell, then State's Attorney, elevated Lucy Ann Garvey to the position of Executive Assistant in charge of the entire office. Presently, by appointment, she is serving as Senior Master to the Supreme Bench of Baltimore City, Domestic Division. Avrum K. Rifman, formerly head of the trial division in the City Solicitor's office, was appointed to the Municipal Court, and thereafter was appointed one of the Masters to the Supreme Bench and served in that office until he attained the mandatory age of retirement in 1975.

The writer of this monograph apologizes humbly to Tom and Joe for being a party of one in having "greatness thrust upon 'em'". They would have "achieved" it without the thankless burden of organizing and managing a large association of lawyers with a disparate practice. All of those manifold, time-consuming tasks performed by them, were without the slightest compensation, except for our genuine esteem and sincere affection all of us bore for these two great friends.

Finally, and of no lesser importance, the writer of this outline, as the oldest member of the original group, again, is impelled to record his never-ending love and devotion to Tom and Joe, Helen and Lucy, and John C. Evelius, the "patron Saint of the aged and homeless", for making my life-long practice of law a true art and a noble profession, a rich treasure beyond all earthly measure, and in paraphrasing the words of Keats, truly "... a thing of beauty" and "... a joy forever."



Christopher Columbus Langdell, the Harvard Professor who introduced the case method in law teaching.



"Legal Advice" by Dwight C. Sturges, depicts the lawyer's office of a bygone day.

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## William D. Macmillan, Jr.

by William R. Levasseur

William D. Macmillan, Jr. was known as one of the more colorful trial attorneys in Baltimore City until he retired from active practice in 1970. He died at the age of 78 in 1974.

Whenever two or more senior members of the Trial Bar get together, Mr. Macmillan's name is sure to become a part of a topic. Everyone seems to have a story about "Bill" Macmillan. He was particularly known for his quips and antics before the trial judges, and the stories are too numerous to set out here.

Bill Macmillan started and ended his legal career with the law firm of Semmes, Bowen & Semmes. In 1916 he started as an office boy; and when he retired in 1970, he was a senior partner of that firm. He was considered by his colleagues to be a complete lawyer with a thorough knowledge of the law.

He was general counsel for the Colts and was one of the leaders in the fight to restore the National Football League franchise for Baltimore after Colt owner, Abe Watner, sold out to the NFL. He instituted a lawsuit in an attempt to have the Colts returned to Baltimore. Mr. Macmillan served as counsel for the Colts during the subsequent ownership by Carroll Rosenbloom.

Mr. Macmillan represented such notables as Police Commissioner James M. Hepbron who had been charged with allegations of misconduct in office. He represented Larry MacPhail, himself a very colorful sports enthusiast. Mr. Macmillan was probably best known for his involvement in the dramatic Alger Hiss/Whitaker Chambers case which involved the famed Pumpkin Papers.

Mr. Macmillan had among his clients Carroll Rosenbloom, Big Daddy Lipscomb, Lenny Moore and John Unitas.

He specialized in medical/legal litigation with medical malpractice being his predominate field of expertise. He was called upon many times to conduct and lecture on these important topics.

Mr. Macmillan was no stranger to the political scene. He worked hard for H. C. (Curly) Byrd's bid for the Democratic governorship. He was also treasurer for former U. S. Senator Millard W. Tydings in the primary campaign in 1956. Mr. Macmillan was chairman for the lawyers' group supporting reelection bids for Governor Millard Tawes and served as campaign manager in Maryland for the presidential bid of the late President John F. Kennedy.

Mr. Macmillan was one of many distinguished attorneys practicing law in Baltimore City with the firm of Semmes, Bowen & Semmes. When Mr. Macmillan first came to that firm in 1916, the partners were John E. Semmes, Sr., Jesse N. Bowen



William D. Macmillan, Jr.

and Johns E. Semmes, Jr. Over the years he practiced with such stalwarts of the Bar as William H. Price, Jr., William C. Coleman, Richard F. Cleveland, Harold Tschudi, Gaylord Clark, Rignal W. Baldwin, Ambler Moss, Frederick W. Brune, Edwin A. F. Morgan and, of course, some of the current partners of that very fine firm who are well known to the Bar of Maryland.

In the event the above-mentioned names are not totally familiar to the reader, a further look at these individuals will establish that these attorneys mentioned above were among the "Who's Who" of the Baltimore Bar. For example, Frederick W. Brune retired from practice with Semmes, Bowen & Semmes in 1954 to become one of the most distinguished Chief Judges of the Maryland Court of Appeals. He and Mr. Macmillan were lifelong friends.

Richard F. Cleveland and Ambler Moss were both distinguished corporate attorneys with Semmes, Bowen & Semmes. Mr. Cleveland who died in 1974 was the son of former President Grover Cleveland, and he served as general counsel to the Public Service Commission for a number of years.

Mr. Moss, who died at the age of 73, was a director of Provident Savings Bank and was involved through Connecticut General Life Insurance Company with the development of the City of Columbia.

Harold Tschudi, who was 85 at the time of his death in 1975, was most known as an authority and pioneer in the area of law known as workmen's compensation. Mr. Tschudi had many accomplishments during his distinguished career, the most notable was to be elected as President of Civitan International. As far as we can determine, he was the only Baltimorean ever to be so elevated. He is also said to have tried the first workmen's compensation case in Maryland.

William C. Coleman became one of the most respected Feder-

al Judges when he resigned from his partnership at Semmes, Bowen & Semmes to become United States District Judge for the District of Maryland; and in 1948, he became the Chief Judge of that Court. Judge Coleman retired from the Bench in 1955.

Mr. Macmillan was a past president of the Bar Association of Baltimore City and a founding member in Maryland of the American College of Trial Lawyers. He was not alone in the history of Bar Association leadership from the firm of Semmes, Bowen & Semmes. Most recently, Norman P. Ramsey served a one-year term as president of the Maryland State Bar Association. In addition, both Frederick Brune and Rignal W. Baldwin served as presidents of the State and City Bars with great distinction.

Judge Brune had his favorite nickname for young Bill Macmillan which was "Chubby Chile". Mr. Macmillan good naturedly threatened to sue Judge Brune for slander every time he was referred to as "Chubby Chile", but he refrained from doing so because of Judge Brune's threat to plead "truth" and he would file "Mr. Mac" as Exhibit "A" in the proceedings.

Mr. Macmillan also created the "Annual Batting Average on Judges". This process in the beginning was loosely set out statistical compilations of information about the affirmances and reversals of Supreme Bench Judges on appeal. The process became an intricate part of the yearly assessment of Supreme Bench Judges to the point where it is said that most Judges looked forward to this critique and it became "an end in itself". The Judges would anxiously await the results and would use their batting average if it were favorable and ignore it in the event it was unfavorable.

The current partners at Semmes, Bowen & Semmes who knew and worked with Mr. Macmillan recall his contribution to the Bar and to the firm. They are quite fond of their memories, and they hope that memorializing Mr. Macmillan in this issue of the Daily Record will act as a reminder to the Bar of the impact one attorney had on the development of the Trial Bar.

Many of the stories, outlandish as they may seem, have been authenticated by Rignal W. Baldwin, a retired partner, and William A. Fisher, Jr., one of the partners in the Town office. All attorneys owe a debt of gratitude for the totally professional and distinguished career of Mr. Macmillan. It is unfortunate that the mold creating Mr. Macmillan has never been duplicated. It would be most interesting if someone could have carried on the traditions; however, because there has been no substitute for Mr. Macmillan, it has to be assumed that he was certainly "One Of A Kind".

## Ober, Grimes and Shriver

Tracing its antecedents to the year 1903, the law firm of Ober, Grimes & Shriver, like many Baltimore law firms, is the product of a merger of two firms. In 1969, the former firms of Ober, Williams & Grimes and Cross, Shriver, Bright & Washburne merged to become Ober, Grimes & Shriver. Presently, the firm has offices in Orlando, Florida and in Washington, D.C., in addition to its Baltimore Office. Over 40 attorneys practice with the firm. Although the firm is engaged in the general practice of law, it continues the traditions of its predecessor firms, with substantial concentration in the areas of maritime law, civil litigation, probate law, corporate law, and estate planning. In recent years the firm has developed a substantial practice in the area of representation of non-profit, charitable institutions, particularly in the area of the law regulating hospitals.

The association of Albert C. Ritchie and Stuart S. Janney in 1903 resulted in the firm of Ritchie & Janney, which later became successively known as Ritchie, Janney & Ober; Ober, Williams, Grimes & Stinson; and, finally, Ober, Williams & Grimes, which was the firm's name at the time of its 1969 merger. In prior years, its name reflected the names of Robert Griswold, W. Howard Harvelton, Albert P. Stuart, and Robert Lee Slingluff, when these individuals were partners of the firm.

Albert C. Ritchie was elected Attorney General of Maryland and, subsequently, Governor, serving three terms, and then returning to private practice, at which time the firm became known as Ritchie, Janney, Ober & Williams.

Stuart S. Janney, was best known for his skill as a litigator in general civil as well as maritime matters. At the time of the depression, he was appointed counsel to the Maryland Bank Commissioner.

The firm of Cross, Shriver, Bright & Washburne had its genesis in the association of H. Webster Smith and Eben J. D. Cross, Jr. in the early 1920's. Mr. Cross, the son of E. J. D. Cross, a distinguished attorney who was instrumental in the founding of the Bar Association of Baltimore City, left the private practice of law in 1924 in order to become the Assistant City Solicitor of the City of Baltimore, in which position he continued until 1927, when he resumed the practice of law with Mr. Smith. Mr. Cross served for a number of years as a Master in Chancery for the Supreme Bench, in addition to his private practice which continued through these years. His subsequent association with J. Nicholas Shriver, Jr. resulted in the change of the firm's name to Cross & Shriver, Mr. Smith having withdrawn from the firm in order to move to Arizona.

Following service in the Army Air Force in World War II, J. Nicholas Shriver, Jr. returned to the private practice of law with Mr. Cross and, following Mr. Cross' death in 1948, J. Paul Bright, Jr. joined the firm. Thomas D. Washburne joined the firm in 1955. The firm continued to add partners and associates, with the bulk of the firm's work being in the areas of civil litigation, corporate, probate, trust, and estate planning work.

In 1979, Ober, Grimes & Shriver merged with the Washington, D.C. law firm of Bird & Tansill, this firm being a general practice firm with a particular area of specialization in tax law.

Frank B. Ober enjoyed a lengthy career at the Bar during which time he was recognized as a leading attorney in the fields of litigation and corporate reorganizations, the most famous reorganization in Baltimore being that of the Mortgage Guaranty Company which involved an extensive liquidation and reorganization which the late U.S. District Judge, W. Calvin Chesnut pronounced to be the most complex reorganization in his experience. Continuing the firm's tradition of service, Frank B. Ober served as president of the Maryland State Bar Association, as had his partner, Albert C. Ritchie before him.

When a number of partners left the practice of law in order to serve in Europe in the First World War, Joseph C. France who was then a leader of the Maryland Bar, became counsel to the firm. Mr. France was at that time General Counsel with United Railways, and during the war years, he brought with him several attorneys from the staff of United Railways who continued with the firm following the conclusion of the war.

In 1928, the firm moved from its former offices to the building which houses its present office, now known as the Maryland National Bank Building, and which was then known as the Baltimore Trust Building.

Another partner of the firm, Robert W. Williams, enjoyed an extensive and lengthy admiralty practice and, in 1950, was appointed to a four-year term as a Federal Maritime Commissioner.

William A. Grimes, who joined the firm in 1931 specialized in the admiralty, corporate, and trust law fields and, at the time of his death, was president of the Maryland Bar Foundation.

The firm's tradition of public service continued with the appointments of Alexander Harvey, II as United States District Judge, Davis Ross as a Judge of the Supreme Bench of Baltimore City, and, since the merger of 1969, the appointment of Jervis S. Finney as the United States Attorney for Maryland.



## Frederick W. Brune

by Richard Cleveland, Joseph Bernstein and Emory H. Niles

Frederick W. Brune, Chief Judge of the Court of Appeals of Maryland for ten years from 1954 to 1964, died suddenly of a heart attack at his home in Baltimore on February 19, 1972. Judge Brune was universally acknowledged not only as a most distinguished jurist and lawyer but also for his outstanding public service. This continued throughout his entire legal career, both before ascending to the Bench and during his retirement years when he continued to render unstinted service to his City and State in civic as well as legal fields.



Chief Judge Frederick W. Brune

Judge Brune was true Baltimorean and Marylander. The fourth of his name, he was born in Baltimore on October 15, 1894, the son of Frederick W. Brune, III, and Blanche Shoemaker Brune. Judge Brune's father and his mother both died before he was five years old, and he was brought up in the family of his uncle and aunt, Mr. and Mrs. John J. Donaldson. Judge Brune's father, his grandfather, and his uncle, Mr. Donaldson, were all distinguished lawyers of Baltimore, where Judge Brune lived all his life.

On January 22, 1921, Fred Brune married Mary Washington Keyser. Theirs was a most happy marriage, which lasted more than 50 years. Mrs. Brune, their son, Frederick W. Brune, Jr., and two grandchildren survive the judge.

Judge Brune's life falls naturally into several periods, — education, the practice of law, public positions, war service, judicial office and retirement. As Fred Brune, he began his education at Marston's University School, after which he attended the Johns Hopkins University for a year. He then went to Harvard College, where he received the degree of B.A. in 1915. When the first World War broke out, Fred was at the Harvard Law School. He immediately volunteered for the Army and spent two years in the service, in the United States and France. He was first in the Norton-Harjes Ambulance Corps and later in the United States Army. At the end of the war, he re-

turned to the Harvard Law School, from which he received his LL.B. in 1920. Fred Brune was admitted to the Maryland Bar in 1921, after having passed the Bar Examination as the second person who had ever achieved a perfect score.

As a lawyer Fred Brune, as he was known to his friends, soon attained the status of a leader. He started as a clerk to Osborne I. Yellott, Esq., and on Mr. Yellott's untimely death in 1922, he formed an association with William C. Coleman, later United States District Judge. From 1923 to 1924 he was an Assistant United States Attorney in days when he, James T. Carter and Morton P. Fisher occupied a very large and cheerful desk in a single room of the old U. S. Court House and Post Office Building.

In 1924 the partnership of Coleman, Fell, Morgan and Brune was formed, consisting of Messrs. William C. Coleman, Edgar T. Fell, Edwin F.A. Morgan, and Frederick W. Brune. The firm was dissolved in 1927 when Mr. Coleman was appointed to the federal bench and Mr. Fell departed to Washington. The two remaining partners, under the firm name of Morgan & Brune, continued together for about a year, until 1928 when they accepted an invitation to join the firm of Semmes, Bowen & Semmes. Fred Brune remained a partner of this firm until 1954, when he was appointed Chief Judge of the Court of Appeals of Maryland.

During the thirty-three years of his private practice, Fred Brune rose to the top of his profession. With a large practice, representing individuals, banks, and corporations, he nevertheless devoted a great amount of time to public, charitable and professional affairs. To name only a few of these activities, he served as chairman, member or adviser of the City Service Commission (1937-46); the Selective Service Board (1940-43); the War Price and Rationing Board (1942-45); the Baltimore Charter Revision Commission (1944-46); the Committee of the Court of Appeals on Rules of Practice and Procedure (1946-54); the Committee on the Revision of Corporation Laws (1948-51); the Tax Survey Commission (1949-51); and the Council of the American Bar Association section on Corporation, Banking and Mercantile Law. After he became Chief Judge, he performed valuable service on the National Conference of Chief Justices. It would be tedious, and perhaps impossible, to list all of the activities and causes in which he worked actively. In almost any movement for betterment in legal, governmental or civic affairs, one name in its list of supporters was indispensable, namely that of Frederick W. Brune.

Capstones were placed upon

this massive and effective record of professional and public service by his election in 1940 to the presidency of the Bar Association of Baltimore City, and in 1947 to the presidency of the Maryland State Bar Association. These positions represent the highest honor that his fellow members at the bar could bestow.

In 1954, when the office of Chief Judge of the Maryland Court of Appeals became vacant, Mr. Brune was appointed to that office by Governor Theodore R. McKeldin. His selection was greeted with universal approval, for there was no lawyer in the State whose qualifications were higher, who was better known to have such qualifications, or who had greater confidence of the Bar, the judiciary and the public.

This is not the moment to discourse upon Chief Judge Brune's record as the head of the judiciary of the State. Let it be said, however, that the high hopes expressed at the time of his appointment were amply fulfilled by the record he established as Chief Judge. Suffice it to record that he had no superior, either in Maryland or in the United States.

In 1964 Judge Brune reached the constitutional age of 70, requiring his retirement from the Bench. But even then his participation in public affairs and in the law did not cease. In his home he kept up the private law library which was probably the best of its kind in this State. He bequeathed that library to the University of Maryland Law School, and will be installed intact in its new Library Building when opened in the Fall of 1980. It is named for his uncle, John J. Donaldson, Esq. During his retirement the former Chief Judge was president of the Maryland Historical Society, Chairman of a commission to revise the Motor Vehicle Laws, adviser to the Maryland Diocese of the Episcopal Church, and a member of the Visiting Committee of the Harvard Law School. At the time of his death Judge Brune was hard at work on a revision of the entire Criminal Code of Maryland.

In physique Judge Brune was tall, rather sturdily built, and quiet in manner. Sparing of speech, he had, however, a dry and pungent sense of humor which enlivened, but did not wound, either in personal conversation or in the court room. No harsh criticism of a lawyer before him in court ever passed his lips. He listened attentively to arguments of counsel, and in his opinions he not only explained clearly the reasons for the decision, but also endeavored to deal fairly and fully with all points raised by the losing party. He was kind to the young and inexperienced lawyers who appeared before him. He was not fooled by verbosity, and was an instinctive enemy of sham, pretense, and exaggeration. He had strong views and wide thoughts on the judicial function, and he

held to them undeviatingly. His principles were deep and steady. As a judge and as a lawyer he never cut a corner.

If there were any room for criticism of Fred Brune, it would be that he drove himself unmercifully and worked too hard. In later years he suffered from arthritis, but no one suspected that he might suffer the heart attack which proved fatal.

For recreation, Fred Brune had loved the game of tennis, and in later years he was a skilled bridge player, an ardent follower of the Colts football team, and an enthusiastic member of his several law clubs. In these matters he seemed to cast off the cares of office, and to devote himself wholeheartedly to the pleasures of the game and social contacts.

To sum up the life and character of Frederick Brune:

He held high ideals in his conception of the functions, duties and responsibilities of a lawyer and of a judge;

His ability, his learning, his position, and his character enabled him to live up to them, with unswerving fidelity;

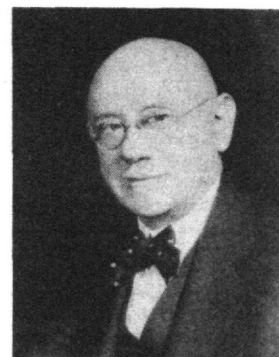
He had both modesty and a strong and rewarding sense of humor;

He was clear in thought, based on wide knowledge and understanding of life and of the law;

He had an affectionate and generous spirit which guided him as husband, father, lawyer, judge, partner and friend.

John Donne, more than three hundred years ago, wrote: "Any man's death diminishes me."

The loss of the living presence of Fred Brune has diminished all of us.



Judge Martin Lehmayr (1861-1936)



Judge Herman Moser



Harry L. Silver



(Top Row: Martin Lehmayr, C. J. Rosendale, Philip W. Wroe, John C. King and J. Chas. Linthicum. Bottom Row: Seth Hance Linthicum, J. Seymour T. Waters, Harold B. Scrimger, William R. Barnes and J. Kemp Bartlett, Jr.)



Judge E. Paul Mason, Sr.



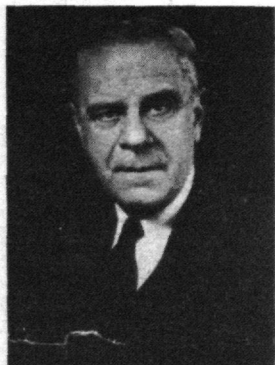
Judge E. Paul Mason, Jr.



## The Founding Fathers of FRANK, BERNSTEIN, CONAWAY & GOLDMAN

By Shale D. Stiller

John Carter Rose was the first of the extraordinary men whose lives this brief history must describe. As a very young man, he developed an active practice, resulting in no small measure from his keen interest in public affairs. During the early years of his career as a lawyer, he wrote newspaper editorials upon public questions. He became one of the most active members of a band of leading citizens who conducted campaigns against the political abuses which then prevailed in Baltimore and Maryland. He was one of the charter members of the Reform League, and for ten years its counsel. Largely through his efforts, the new election laws of 1890 and 1896, adopting the Australian or secret ballot, and other means to prevent trickery at elections, were adopted.



Judge Eli Frank (1874-1958)

For our purposes, his greatest talent lay in attracting able young men to his office. The best known of these were Morris A. Soper and Eli Frank. Messrs. Soper and Frank led their classes at the University of Maryland Law School in 1895 and 1896, respectively. Each, upon graduation, joined Mr. Rose at his offices at Room 628 of the Equitable Building. What an extraordinary team! Rose, Soper, and Frank. While they did not have a formal partnership, as we now know that term, they shared offices for many years. In 1898, Mr. Rose was appointed U.S. Attorney by President McKinley, and in 1900, Mr. Soper became his assistant. But those were part-time jobs in that era, and until the Baltimore fire in 1904, Rose, Soper, and Frank spent most of their time practicing law in the Equitable Building. A large part of the Equitable Building burned during the Great Fire, and while it was being repaired in 1904, Rose and Soper temporarily moved to the old Post Office Building, and Mr. Frank moved to 319 North Calvert Street. When the three of them moved back to the Equitable Building, they continued to share offices until April 4, 1910, when Mr. Rose was appointed by President Taft to be United States District Judge. For the remainder of 1910, Messrs. Soper and Frank, both of whom first

achieved an "av" rating from the old Martindale Legal Directory in 1910, along with a group of other men who had surrounded Mr. Rose, continued to share offices, again, not in the formal partnership sense, but as lawyers who thought enough of each other that they wanted to consult each other daily about the many problems of practicing law. Mr. Soper even ran for Attorney General of Maryland, but unlike one of his successors in the firm, he was unsuccessful. Among the other men in that little group were C. John Beeuwkes, Arthur D. Foster, Reuben Foster, and J. Frank Supplee, Jr.

On January 1, 1911, Mr. Soper formed a partnership with German H. H. Emory. Mr. Emory had been graduated from the University of Maryland Law School in 1903, and had practiced with several different firms until the formation of Soper & Emory. Soper & Emory, like the others who had been associated with Mr. Rose, remained in the Equitable Building. In 1912, Mr. Frank joined with Allan McLane and Francis E. Pegram, to form McLane, Pegram & Frank, with offices in the Fidelity Building. From the standpoint of the firm's history, the most interesting event from 1911-1913 was the otherwise unimportant will construction case of *Hemsley v. Hollingsworth*, 119 Md. 431 (1913), where Mr. Emory and his firm of Soper & Emory squared off against Mr. Frank and his firm of McLane, Pegram & Frank. Mr. Emory won.

Both Soper & Emory and McLane, Pegram and Frank were rather short-lived, and the modern era of the firm began on January 1, 1914, when Morris Soper became Chief Judge of the Supreme Bench of Baltimore City, and the firm of Frank, Emory & Beeuwkes was created.

Mr. Frank was then 39, Mr. Emory 41, and Mr. Beeuwkes 34. For one so young, Mr. Frank's attainments were eminent. He had joined the faculty at the University of Maryland Law School in 1899, while still in his twenties (a position he retained for 45 years until he retired in 1944). He had written a classic treatise, *Title to Real and Leasehold Estates and Liens* which was published in 1912. As a result of the Baltimore Fire in 1904, many of the classic real estate forms in use in Baltimore had been destroyed, and, at the behest of the title companies, Mr. Frank created them anew out of his memory. He was also active in a host of charitable endeavors, including his membership in the group that founded The Park School in 1912.

In May 1917, less than one month after the declaration of war, Mr. Emory entered the First Officers' Training Camp at Fort Myer, and was commis-

sioned a Captain on August 17, 1917. On May 26, 1918, he sailed from Newport News. His battalion was in the very thick of the heavy fighting in the Argonne Forest during the six weeks before the armistice. Ten days before the armistice, on November 1, 1918, he was killed in action, felled by a machine gun bullet through the heart while leading his battalion. His battalion had been the assaulting unit in the drive which ended the war. For hours, it had been subjected to heavy artillery and machine gun barrage. Major Emory was beyond the draft age, and despite the fact that he had three small sons, he felt that his duty to his country obligated him to fight. For many years, the German H. H. Emory Post of the American Legion conducted a very moving ceremony on Armistice Day in the State Court House, where Major Emory's portrait still hangs.

In early 1921, there were two events of significance in the history of the firm. One John Henry Skeen, an expert on admiralty law whose offices were across the hall from Frank, Emory & Beeuwkes, joined the firm as a partner, and at the end of the year, the name of the firm became Frank, Emory, Beeuwkes & Skeen. And in February, 1921, a 23-year old man named Reuben Oppenheimer became a member of the bar and an associate in the firm.

In June, 1922, Governor Ritchie appointed Mr. Frank to be an Associate Judge of the Supreme Bench of Baltimore City, and the firm name changed to Emory, Beeuwkes & Skeen. A few months later, President Harding promoted Judge Frank's mentor and our progenitor, Judge Rose, from the United States District Court for the District of Maryland to the Fourth Circuit Court of Appeals, and then, after another few months, President Harding appointed Judge Frank's colleague in their early years, Morris A. Soper, to the vacancy on the Federal District Court occasioned by Judge Rose's elevation. Within the space of a year, the entire trio in that extraordinary group that practiced together in the late 90's and early 1900's — Rose, Soper & Frank — had won additional recognition of their talents.

Judge Rose, like Judges Soper and Frank, served for many years on the faculty of the University of Maryland Law School. In 1915, his casebook-textbook on federal jurisdiction was first published. For almost 40 years, it and subsequent editions (some of which were co-edited by others after his death) were considered to be the leading source on the intricacies of federal jurisdiction. Judge Rose died in 1927.

Judge Soper went on to become a judge on the Fourth Circuit Court of Appeals in 1931, where he remained until his death in 1963 at the age of 90.

Nyburg, Goldman & Walter had a very distinguished history

of its own. Moses R. Walter, as mentioned at the beginning of his history, began practicing law in 1868, apparently the first Jewish lawyer in Maryland. Just before the turn of the century, he shared offices with Archibald Sykes. Around 1902, Mr. Sykes formed a partnership with young Sidney L. Nyburg, who later was well-known as a lawyer of great literary and cultural talent. The firm of Sykes & Nyburg ultimately became the well-known Nyburg, Goldman & Walter through the following steps. When Moses Walter's son, Raphael, became a member of the bar, he joined his father, but after his father died in 1916, Raphael joined the firm of Sykes & Nyburg, which, a few years later, became known as Sykes, Nyburg & Walter.



Reuben Oppenheimer

In the meantime, back at the firm, young Mr. Oppenheimer, who had arrived in 1921, quickly gained a national reputation as a brilliant lawyer. An honors graduate of the Harvard Law School in 1920 and one of the officers of the Harvard Law Review in his senior year, he continued his scholarship with three articles on a variety of subjects in the next seven years: "Infamous Crimes and the Moreland Case," 36 Harv. L. Rev. 299 (1923); "Rights and Obligations of Customers in Stockbrokerage Bankruptcies," 37 Harv. L. Rev. 860 (1924); and "Proceeds of Life Insurance Policies under the Federal Estate Tax," 43 Harv. L. Rev. 724 (1930). No other Baltimore lawyer, before or since, has written so many articles for the Harvard Law Review. Mr. Oppenheimer's reputation was cemented when he wrote the famous Hoover Commission Report on Deportation. He became a partner of Messrs. Beeuwkes and Skeen in 1923, and by 1927, the firm name had changed once again to Emory, Beeuwkes, Skeen & Oppenheimer. The Oppenheimer name remained in the firm name until 1955, when Mr. Oppenheimer was appointed as Associate Judge of the Supreme Bench of Baltimore City. Throughout his 34 years of association with the firm, Mr. Oppenheimer was its leader and magnet, and even today, there are many lawyers, both inside the firm and outside the firm, who speak with great reverence, admiration, and respect for Mr. Oppenheimer, the lawyer.



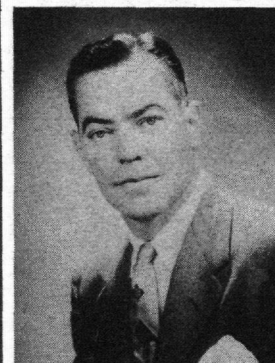
James L. Bartol, Chief Judge of the Court of Appeals.



Judge Joseph N. Ulman (1878-1943), Associate Judge of the Supreme Bench and author of "A Judge Takes the Stand".



Judge Henry S. Stockbridge, Jr. (1856-1924)



Judge Edwin Harlan



Judge W. Stuart Symington, Jr. (1871-1926)



## Leonard Weinberg

By Robert L. Weinberg and James H. Langrall

Leonard Weinberg rose from a self-taught court stenographer to be one of the state's most prominent attorneys. He was 84 when he died.

Born in Baltimore, Mr. Weinberg left City College after six months to take a job as a typist for an uncle who was a court reporter. Within three years, at age 18, he had begun his own court reporting business.

For the next 12 years, Mr. Weinberg worked as official reporter to the Supreme Bench of Baltimore City. In 1912, he worked in the pool of stenographers at the Democratic National Convention in Baltimore at which Woodrow Wilson was nominated.

Mr. Weinberg graduated from night school of the University of Maryland School of Law in 1919 and co-founded a firm known as Weinberg and Sweeton, one of the first large law firms in the state to include a Jewish and a Christian partner.

In addition to being a respected attorney, Mr. Weinberg was a writer and a friend of many of Baltimore's literati, including H. L. Mencken.

In the first few years as a lawyer, he specialized in criminal law, but began to move into labor and business relations during the 1930's and he filed one of the earliest damage suits against a labor union.

He was appointed special state's attorney for Baltimore City in 1922, to help clear a backlog of cases and resigned a year later.

Mr. Weinberg was a delegate to the 1932 Democratic National Convention held in Chicago, when Marylanders put up a bitter fight to obtain the nomination of Gov. Albert C. Ritchie, their favorite son, over Franklin Delano Roosevelt.

In 1936, he defended Friedman and Harry Marks Clothing Company, in the United States Supreme Court in the cases upholding the constitutionality of the National Labor Relations Act.

An immaculate dresser, he was known for his collection of neckties, which numbered more than 400 back in the 1930's, and he would never go into court without a flower in his buttonhole, usually a cornflower.

An old description of his dress habits which appeared in *The Sun* states:

"By some mysterious means, Mr. Weinberg always manages to look as if he had just stepped out of the most conservatively correct clothing advertisement in the smartest magazine of the month. At the end of an arduous harangue to the jury — one that would leave most lawyers weary and ruffled — he seemed debonairly fresh as he was at the start. Apparently . . . he will not wilt, shrink, crack nor wrinkle."



Leonard Weinberg

Mr. Weinberg also conducted a weekly radio show to acquaint the public with recent changes in laws.

Mr. Weinberg and Howard Sweeton after the formation of their law firm were soon joined by Harry J. Green, a brilliant and forceful lawyer and economist, with doctorates in both fields. Mr. Green brought a unique ability to guide the direction of the firm's practice in the years when New Deal legislation was changing the face of American business.

The firm's practice initially focused primarily in litigation and real estate. In the late 1930's and early 1940's, the emphasis broadened to include administrative law, business regulation, taxation and corporate law.

During the 1940's, the firm developed its deep departmental capabilities, whereby a major transaction could have input from a team of lawyers, each contributing his talents and expertise relating to his particular specialty. Today there are six such departments: Corporate, Tax and Securities Law; Real Estate Law; Litigation; Banking and Commercial Law; Labor Relations Law; and Wills, Estates and Trusts Law. At the present time, the firm of Weinberg and Green now numbers 80 lawyers, 10 para-legal assistants, and 3 eminent lawyers as counsel to the firm. All of this was brought about by the dream of an ambitious and talented former court reporter.



Eldridge Hood Young

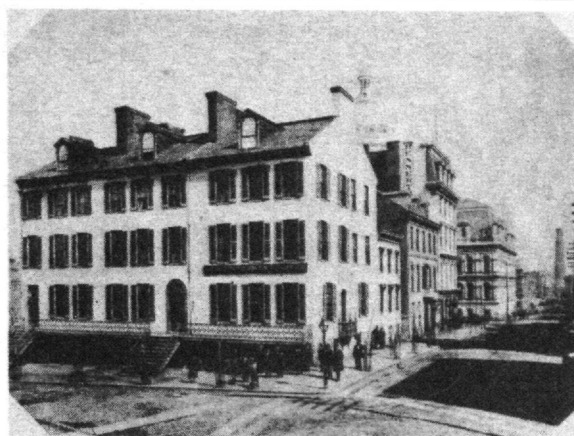
## Stranger Than Fiction

### The Murder Of Christian Trautfelter

by James F. Schneider

In my capacity as Historian and Archivist of the Supreme Bench, I recently discovered a huge, old steel filing case filled with court records, including docket books, rolls of attorneys, opinions and memorials dating back more than a century ago. In sorting through the thousands of papers neatly tucked away, I chanced upon the opinion of the Bench in a Motion for New Trial filed in a long-forgotten murder case, the circumstances of which you may find somewhat strange and interesting.

On the early afternoon of Thursday, June 1, 1871, a twenty-eight year old constable named Christian Trautfelter was fatally shot when he stepped between two quarreling brothers in Monument Square in front of Guy's Monument House on the northeast corner of Calvert and Fayette Streets. Thomas Goodrich, wielding a pistol and highly intoxicated after a heavy bout of drinking, intended the shot for his brother, Washington, with whom he was engaged in a heated argument. The unfortunate victim, acquainted with both brothers, died the following morning of a gunshot wound of the abdomen at the Washington University Hospital, now known as Church Home. He left behind a young wife and several small children.



Guy's Monument House, on the present site of the Civil Courts Building (Old U.S. Post Office and Court House). Christian Trautfelter was shot on this corner in 1871.

On June 6, 1871, four days after Trautfelter's death, Thomas Goodrich was indicted for murder. Six months later, on December 13, 1871, a jury convicted him of second degree murder in the Criminal Court of Baltimore, Judge Robert Gilmore presiding.

The opinion which I found was dated September 24, 1872, and signed by four of the five Judges of the Supreme Bench, granted the Defendant's Motion for New Trial. In it, the majority concluded that evidence of the Defendant's intoxication at the time of the shooting precluded his conviction of any charge higher than manslaughter, and that a showing of malice such as would justify a murder conviction had not been made. Judge

Gilmore wrote a dissent which is noteworthy for its erudition. (Years later, in 1937, Judge Eugene O'Dunne wrote an opinion in another murder case which considered the same issue presented in the Goodrich opinion and ruled that the dissent was correct.)

In any event, Goodrich was given a new trial. Counsel who

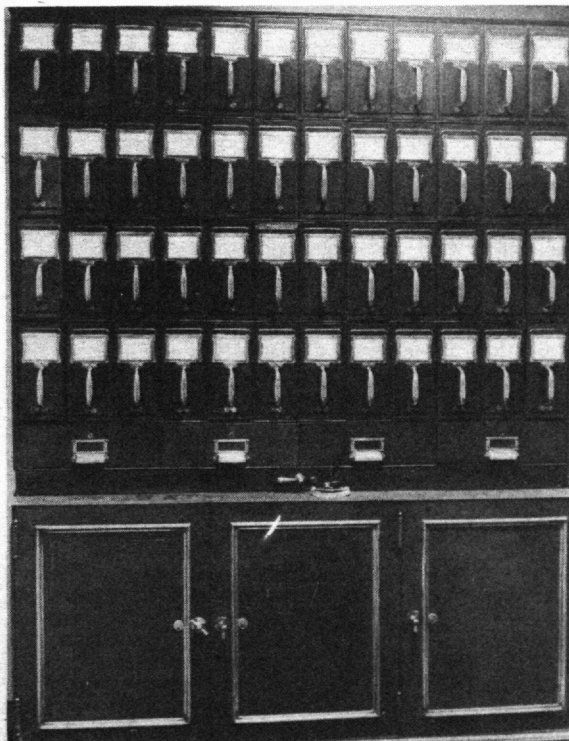


Christian Trautfelter

argued in support of the Motion were Severn Teackle Wallis, John P. Poe and W. Hollingsworth Whyte. The Motion was opposed by the State's Attorney, A. Leo Knott.

The trial was removed to the Circuit Court for Baltimore County at Towson town, where Goodrich stood trial for the second time. The prosecutor was J.F.C. Talbott, State's Attorney for Baltimore County, opposed by W. Hollingsworth Whyte, Richard J. Gittings and John P. Poe for the defense. The trial ended on January 24, 1873 in the Defendant's acquittal by a jury, which after deliberating all night, returned a verdict of "Not guilty because of insanity at the time of the commission of the act, but . . . sane now." The prisoner was then released.

The murdered man was my great-great-grandfather. And the location of the shooting? The northeast corner of Calvert and Fayette Streets is today the site of the Civil Courts Building, which houses my office as General Equity Master.



A filing case for pleadings a century ago. Records of the Supreme Bench from 1867 to 1966 are stored in this one located in Jim Schneider's office in the Civil Courts Building.



## Another Centennial

by James F. Schneider

The year 1980 marks not only the Centennial of the founding of the Bar Association of Baltimore City, but also that of another legal institution — the publication of the first volume of the first edition of *Poe's Pleading and Practice*. In fact, the preface to Volume I is dated January 15, 1880, the same day that the Articles of Incorporation of our Association were drafted. And the author, John Prentiss Poe (1836-1909), who based the book on his lectures at the University of Maryland, was one of our founders. His biography which appears in our Centennial Book will not be duplicated here.



John P. Poe

Volume I was dedicated to Severn Teackle Wallis, who, in addition to serving as the Provost of the University of Maryland, was also the first President of the Bar Association of Baltimore City. The dedication lionized him as one "... who, by the elegance of his scholarship, the power of his oratory and the purity of his character, illustrates the highest type of our profession ...". Likewise, the two-volume second edition which appeared in 1884 contained the identical dedication.

Poe's third edition, published in 1897 after Wallis' death three years earlier, contained a new

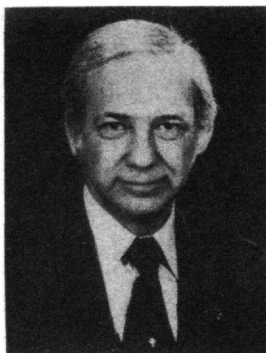
dedication: "To the Students of the School of Law of the University of Maryland ... in the earnest hope that it may afford acceptable aid to those who, from year to year, shall turn to its pages for guidance in one of the most difficult paths of their profession." Mr. Poe was then Dean of the Law School. The fourth edition of the work — still two volumes — published in 1906, was to be the last to bear the personal imprint of the author. It was dedicated "To the sustaining encouragement that has never failed." The Great Poe died slightly more than three years later, on October 14, 1909.

It was not until 1925 that a new, fifth edition of *Poe* saw the light of day, the work of Professor Herbert Thorndike Tiffany of the University of Maryland, (1861-1944), the Baltimore lawyer and scholar whose work



Herbert T. Tiffany, author of Tiffany on Real Property and the fifth edition of *Poe's Pleading and Practice*.

on real property is still regarded as a classic. Tiffany's two-volume edition of *Poe* remained the standard authority on pleading and practice for the next forty-five years.



Harry M. Sachs, Jr.

The monumental task of completely revising and updating this definitive work was undertaken by the late Harry M. Sachs, Jr. (1914-1977), who practiced law in Baltimore before his appointment as the first, full-time General Equity Master to the Supreme Bench of Baltimore City in 1965. Master Sachs spent the last ten years of his life producing the current five-volume, sixth edition of *Poe*. Volume I appeared in 1970; Volume VI came out in 1975. The last pocket parts were published in 1976. Just as the original author was also a professor of law, so was the last: Master Sachs taught Maryland Procedure and Equity Jurisprudence at the University of Baltimore School of Law. The tradition of excellence was maintained. *Poe's Pleading and Practice* is still the leading work on the subject.

## Clarence W. Miles

Clarence W. Miles, a distinguished lawyer and civic leader, was born in Cambridge, Maryland, on June 29, 1897. His early education was at Baltimore City College and Peddie Institute. He received his law degree from the University of Maryland in 1920.

Early in his career he was City Solicitor of Salisbury. In 1925 Governor Ritchie appointed him People's Counsel to the Public Service Commission where he quickly established a reputation in the practice of public utility law. Following his resignation as People's Counsel he became the attorney for a group of utilities which formed the nucleus of a growing practice.

Moving to Baltimore he formed a partnership with Eugene A. Edgett and Thomas Tingley. This firm was dissolved and, in the early 1930's, he established a partnership with Seymour O'Brien. The firm of Miles and O'Brien subsequently became Miles, Walsh, O'Brien and Morris and, in 1953, merged with Mullikin, Stockbridge and Waters to become the present firm of Miles & Stockbridge.

During World War II, Mr. Miles served as a colonel in the

Judge Advocate General Corps of the Army and received the Bronze Star. Following the war he resumed his practice and represented numerous public utility companies and corporations. He became general counsel of the Martin-Marietta Company and served on its Board for many years. A member of the Baltimore, Maryland State and American Bar Associations, he was elected president of the Maryland State Bar Association in 1953. He served on the Bond Commission to reorganize the Maryland judiciary and as Chairman of the Miles Commission to restructure the State laws controlling horse racing.

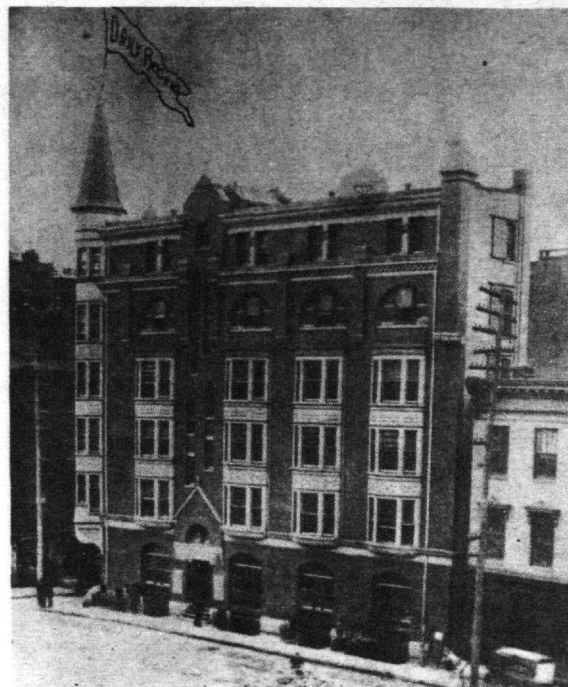
Although a native Eastern Shoreman, Mr. Miles was an energetic supporter of Baltimore City. He was one of the founders and first Chairman of the Greater Baltimore Committee, an organization of private businessmen primarily responsible for the establishment of Charles Center and dedicated to the revitalization of downtown Baltimore. He was President of the Baltimore Symphony Orchestra Association. He was one of the organizers and the first President of The Center Club, an

association of business and professional men in downtown Baltimore.

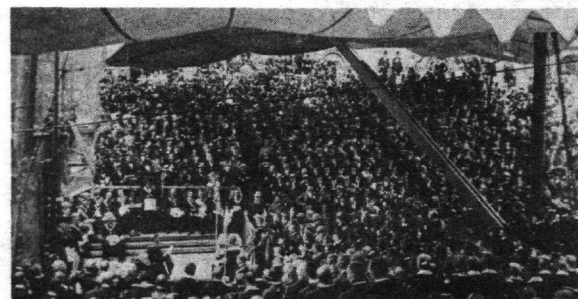
A longtime lover of baseball, Clarence Miles will probably best be remembered by the public for his part in bringing major league baseball to Baltimore. In 1953 he helped organize a group of local public-spirited citizens to acquire the franchise of the old St. Louis Browns and transfer it to Baltimore. Despite formidable odds, the move succeeded, and he became the first President of the Baltimore Orioles.

Above all things, Clarence Miles was a "doer". He had the rare ability to grasp an opportunity and get the thing done. Perhaps the best summation of him was by the present Administrative Judge of the Supreme Bench in 1976 when Mr. Miles was the recipient of the Distinguished Alumnus Award of the Law School of the University of Maryland:

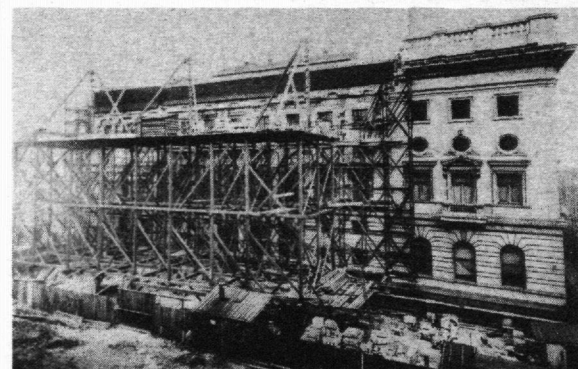
"Clarence Miles is a lawyer who contributes over and above his professional expertise; he gives his time to affairs for the benefit of his city, state and country. He has set an ideal for community involvement."



The old Daily Record Building which stood on the present site of the Baltimore Federal Savings and Loan before it was destroyed by the Great Baltimore Fire of February 7-8, 1904.



The cornerstone laying of the Baltimore City Court House, June 25, 1896 (presently known as the Criminal Courts Building).



Constructing the west front of the Court House, 1899. This is the side that faces St. Paul Street.



The Baltimore City Court House, 1900.

## Daniel C. Joseph

by Calman A. Levin

One of the most colorful figures of the Baltimore Bar died at the age of 85, on February 25, 1973. Daniel C. Joseph, affectionately known as "Uncle Dan", was born in Baltimore on January 26, 1887, the son of Phillip and Julia Coblens Joseph. He graduated from the Baltimore City College, and after attending law school was admitted to the Bar in 1909. In active practice from that time until his death, a total of 64 years, he was one of the oldest members of the Bar.



Daniel C. Joseph

Mr. Joseph never married, but was deeply devoted to the members of his family, and shared a large home for many years with several of his brothers and sisters on Cold Spring Lane, and entertained there frequently.

Mr. Joseph was well respected in the legal, business and political life of the City. A member of the Maryland Legislature in the 1920's, a former Traffic Court Judge, and actively engaged in an international law practice, he was well known for his intelligence, humor and integrity. Although a man with a keen sense of humor, who loved to tell stories, he was also a person with a rigorous sense of justice and decorum. "I'm in the legal profession, not in the law business", he frequently said. "A lawyer should have common sense, ought to have a general knowledge, be a gentlemen and conduct himself as an officer of the Court."

His first elective office was membership in the Baltimore City Council in 1915, but he had previously served as Secretary to the Speaker of the Maryland House of Delegates in Annapolis. After serving in the City Council until 1919, he was elected to the House of Delegates in 1920, and served for a period of five years, during which time he was also Traffic Court Judge in Baltimore. During his tenure in the Maryland Legislature, he achieved a reputation as a needler of the political machine and the author of competent laws. Later, Mr. Joseph was appointed standing Commissioner to the Law Courts of the Supreme Bench of Baltimore City and Law Commissioner for the People's Court, from 1933 until his death, a period of forty years. He

was proud of the fact that none of his decisions had ever been reversed by any Judge.

Mr. Joseph practiced law with his brother, Abram C. Joseph, a distinguished and scholarly member of the Bar, until his death in 1960. Thereafter, Dan Joseph continued his practice in association with Calman A. Levin and Milton B. Edelson, with offices in the Fidelity Building. Although he had been active in trial practice in his earlier years, his practice, in later years, was largely in the probate field. It was both extensive and international in character, including the representation of the Estate of Gertrude Stein, writer and art patroness who lived most of her life in France, as well as clients in Israel, France and Ireland.

A dedicated traveler, Mr. Joseph estimated that he had made approximately forty trips to Europe and two trips around the world. His special love was Ireland, which he described as his "second home". One of his long standing and close friends was the former Lord Mayor of Dublin, the late Robert Briscoe, who was the only Jew ever to serve as Mayor. Mr. Joseph was particularly proud of the fact that as a Jew himself, he was an active member of the Friendly Sons of St. Patrick as well as the Bnai Brith.

He was a raconteur and teller of tales extraordinary and loved to tell stories of the Bar in his younger years and of political figures in the City Council and Legislature. Also, he was a master of dialect stories, particularly those using an Irish brogue.

Mr. Joseph and his brother, Abram, were greatly interested in the Bar Library of Baltimore and both contributed funds for the establishment of the Daniel C. Joseph and the Abram C. Joseph Shelf of History and Biography. In addition, Dan Joseph bequeathed a substantial sum to the Enoch Pratt Library to purchase books relating to Maryland and U. S. politics. He further provided for the gift of his residence on Cold Spring Lane to Loyola College for educational purposes, and created a substantial trust to establish the Daniel C. Joseph Memorial Fund to provide assistance to needy students and nursing trainees.

In 1972, shortly before his death, Mr. Joseph published a volume of a lawyer's recollections, entitled "Send Me Up A Blanket", edited by Earl Arnett of the Sunpapers. In an appendix to the book is a report of an interview given to Mr. Arnett in which Mr. Joseph summed up his philosophy of life in part as follows: "Everybody has a right to do anything he wants as long as he doesn't hurt anybody else — the trouble is everybody tries to mind other people's business. Nobody can tell me what to do. I can do as I damn please. After all (referring to life), it's a joke."

## Thurgood's Own Man

By Denton L. Watson

Richard Kluger in *Simple Justice* provides Odel Payne's "clear picture" reminiscences of Thurgood Marshall. Her husband, the Rev. A.J. Payne, was pastor of the Enon Baptist Church in West Baltimore for more than 50 years.

He early established his love for scholarship. From Lincoln University in Pennsylvania he went to Howard University Law School, where he immediately came under the influence of Charles Houston, an eminent legal scholar who was in the process of revamping the institution. Houston, or "old iron pants," as Marshall nicknamed him, became not only his model in school but also his mentor when he embarked upon a career of civil rights activism as special counsel of the National Association for the Advancement of Colored People.

Prior to beginning his historical work with the NAACP, Marshall began testing and honing his skills as a legal in-fighter here in Baltimore. Working through the local NAACP branch, he launched this struggle to equalize black teachers'

pay scales with whites' by suing the state board of education in a case involving Anne Arundel County.

From an initial setback, Marshall rebounded and won a ruling a few months later in 1939 which provided the NAACP with its first victory in this struggle. With the teachers pay-equalization fight also extended throughout the South, Marshall won a U.S. Supreme Court ruling in 1940 in the *Alston* case against the Norfolk school board, which in effect outlawed pay discrimination against black teachers across the country.

There were many other Supreme Court victories in his career. But even though he is noted for his legal achievements, Thurgood Marshall performed mightily in other areas of the civil rights struggle. Within the NAACP archives, his struggles to end discrimination in the Armed Services are well established.

Nevertheless, no victory was as great as the Supreme Court's 1954 landmark ruling in *Brown v. Board of Education*. Said the court:

"We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated from whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment."

Marshall's genius was his ability to develop and execute legal strategy. He certainly did not alone conceive, develop and execute the strategy that led to the *Brown* victory. Instead, he mobilized and drew upon some of the best legal minds in the nation as he painstakingly constructed the strategy that culminated in *Brown*.

Several years later, speaking from the new vantage point of U.S. Solicitor General, he explained his philosophy within its historical context. Law, he said, "cannot respond to social change but can initiate it." Furthermore, lawyers, "through their everyday work in the courts, may become social reformers."

That represented Thurgood Marshall's succinct testimonial.

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# The University Of Maryland School Of Law

## "Formal legal education was a new, uncharted adventure . . ."

By James W. Almand, Esq.

Former Assistant Dean

The early years of the University of Maryland School of Law, one of the oldest law schools in the United States, were clearly dominated by a young Baltimore attorney named David Hoffman, an energetic legal scholar whose views on legal education were far in advance of his time.

Soon after the Maryland General Assembly authorized the College of Medicine of Maryland to "constitute, appoint, and annex to itself" a faculty of law in 1812, Hoffman was appointed to that faculty with six other lawyers; three years later he was selected to be the first professor of law. Hoffman devoted substantial portions of his time during the subsequent 13 years to the development of a curriculum and method for the study of law. The importance and difficulty of this task can be appreciated only by reviewing the status of legal education in America in the late eighteenth and early nineteenth centuries.

"Reading the law" under the supervision of a practicing attorney was the predominant method for becoming a lawyer. Young men aspiring to be lawyers would associate themselves with a member of the profession and, under his guidance, copy legal documents, serve process papers, follow court proceedings and study the writings of legal giants such as Sir William Blackstone. Although this system produced some excellent lawyers, it had its drawbacks, most importantly its uncontrolled dependence on the abilities and skills of the individual attorneys supervising these legal apprentices.

This country's first recognized law school, Litchfield, was established in Connecticut in 1784. Litchfield enjoyed enormous popularity during the nearly 50 years it existed, and it educated over 1,000 persons, many of whom went on to become national leaders in the nineteenth century. During this period formal legal instruction was budding also at a few of the established universities and colleges, e.g., William and Mary (1779), College of Philadelphia (1790), Columbia (1794) and Harvard (1817); however, these institutions merely established the position of professor of law and made legal education part of the broad scheme of liberal education. Lectures based upon *Blackstone's Commentaries*, the leading legal treatise, were augmented by assigned readings, thus making the program little

more than a refined form of office apprenticeship training. Formal legal education was, therefore, a new, uncharted adventure when Hoffman began his work under the auspices of the College of Medicine of Maryland.

Recognizing that "In America alone, the student of the most learned and abstruse profession, was left to his own insulated and unassisted efforts," Hoffman's first order of business was development of a curriculum and method of formal law study, a task which ultimately brought him praise and recognition from leading lawyers and jurists of the day. In 1817, Hoffman published his "grand design for legal education." Addressed to students of law in the U.S., *A Course of Legal Study* is essentially a well-organized 383-page recommended reading list interspersed with Hoffman's thoughts on the topics covered as well as the thoughts of others.

Hoffman's book was an attempt to replace madness with method. In the introduction he notes that "much time and labour are undoubtedly . . . thrown away" by students studying law in a haphazard manner. Accordingly, "it was the design of the author, in the following *Course of Legal Study*, to reclaim the time and labour thus often and unprofitably expended, by selecting what was valuable in legal learning, and so arranging, as best to adapt it to the complete and ready comprehension of the student." *A Course of Legal Study* is organized into 13 separate topics, or titles, embracing "as much of this widely extended science as an individual should aspire to attain." Among the subjects included are moral and political philosophy, the law of equity, the law of nations, the civil or Roman Law, the Constitution and laws of the U.S. and political economy. Under each title are listed recommended published works followed by "notes" on the selected publications and the subject matter generally. Not one to forget the practicalities of being a student, Hoffman also included in his book a section on how to take notes and keep a notebook: ". . . there is no auxiliary so powerful, or so durably advantageous as noting, when properly regulated."

Hoffman's *Course of Legal Study* was favorably received by legal authorities throughout the country. A 33-page critique in the *North American Review* called Hoffman's book "by far the most perfect system for the study of law which has ever been offered to the public — a model for the direction of students." U.S. Supreme Court Chief Justice John Marshall opined that it was "calculated to elevate and dignify the profession," while Supreme Court Justice Joseph

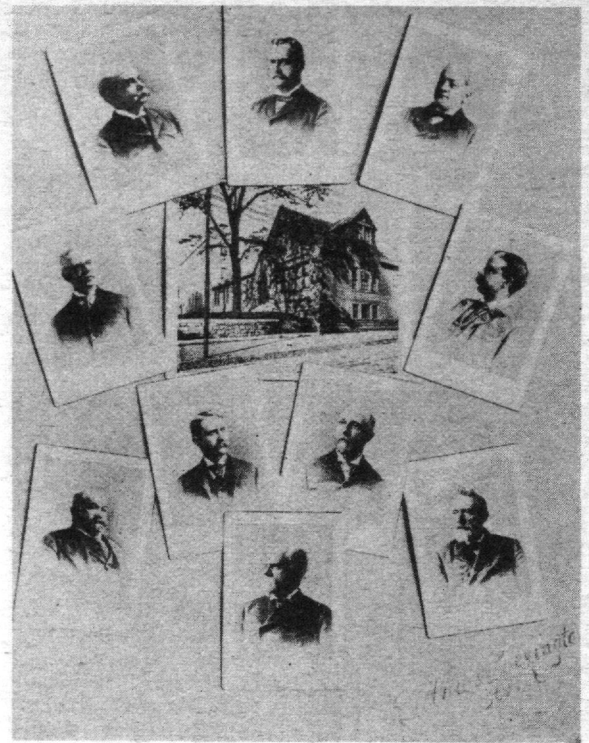
Story pronounced Hoffman's work "an honour to our country." Unfortunately, Hoffman's course was an ideal and impractical one which would require six or seven years to accomplish, twice the amount of time allotted to the pursuit of a legal education today. "The *Course*, we acknowledge, is extensive but can be accomplished, we compute, in six years, making every allowance for other necessary reading. This may appear to some a very long period, but the student should bear in mind the extent, difficulty, and importance of the science, and how necessary it is to treasure up an ample fund of knowledge before he becomes engaged in practice, after which he will scarce be able to pursue any study with perseverance or method."

In 1821, Hoffman embodied this extensive course in a *Syllabus of a Course of Lectures on Law Proposed to Be Delivered in the University of Maryland*. This presentation was to include 301 lectures "embracing every title known to the great body of law." Gradually Hoffman began to realize the impracticability of the energetic plan which he had outlined in his *Course of Legal Study* in 1817 and his *Syllabus* in 1821. In 1824, he said his course "will require two years in its delivery, allowing a daily lecture for 10 months in each year." This projection brought his course more in line with the others being given, including the one at Litchfield.

Despite completion of this unique course of study, Hoffman's school did not open its doors to students immediately. Hoffman was anxious to start instruction, but he faced keen competition from Judge Walter Dorsey's flourishing private practice "law school" in Baltimore. Judge Dorsey had attracted a large number of young men who "read law" under his supervision, and Hoffman's new school was forced to delay opening until after Judge Dorsey's death in 1823.

In July 1824, a circular entitled "An Address to Students of Law in the U.S." announced that instruction would be "commenced in the fall" at the school which Hoffman had dubbed the "Maryland Law Institute." This circular noted that "the establishment has been opened in a spacious and commodious building in South, near Market Street in this city, the apartments of which have been handsomely fitted up, and arranged in every respect for the accommodation of students."

Furthermore, Hoffman's circular included a synopsis of the advantages of his institution: it offered "a course of methodical study adapted to the students' progress, and their separate views in regard to the place in which they design to practice their profession; colloquial ex-



Faculty of the Law School of the University of Maryland when it was located at Eutaw and Lexington Streets.

aminations; union of practical with theoretical knowledge; oral and written discussions of legal subjects; frequent presentation of questions *vexatae*, and resort to an extensive library in every department of legal science and general knowledge."

As promised, the Maryland Law Institute got underway in 1824 with a small student body attending Hoffman's lectures in the late afternoon. The fee was set at \$100 for lectures five days a week for at least four months, library privileges, private examinations and "office accommodations." Although there are no records extant showing the number of students enrolled during this period, at best only about 30 students attended lectures at any one time, and it appears that Hoffman's vision and hopes for the institute were greater than reality. The school remained in operation for approximately nine years, attracting students from 11 states of the union and two foreign countries, according to one source; there is no record of whether any degrees were given. Apparently the low enrollment was related to Hoffman's decision to publish his lectures. A student could progress on his own using Hoffman's excellent guide and published lectures without attending or paying for classes at the school. It is interesting to note that the lectures delivered at Litchfield, the prosperous Connecticut law school mentioned earlier, were not published. The two geniuses behind Litchfield jealously guarded their system of lectures, apparently with the knowledge that publication would diminish the interest in and importance of the school, as happened at Hoffman's institute.

Hoffman did not confine his interest and energy to teaching

law. He also took an active part in the affairs of the university and his involvement ultimately led to his leaving Baltimore and the Maryland Law Institute, which he claimed cost him \$20,000 of his own money. By 1826, the state had assumed control of the University of Maryland, and during the ensuing years Hoffman apparently locked horns with the trustees on various matters. Finally, in 1833 the trustees sued Hoffman for recovery of library books and furniture in Hoffman's possession which the trustees said belonged to the university. Confusion surrounds what really occurred for after suit was filed. Apparently Hoffman departed for Europe soon thereafter, thus terminating his association with the product of his 20-year campaign in legal education.

Despite Hoffman's departure from the institute, an enlarged two-volume edition of his *Course of Legal Study* was published in Baltimore in 1836. In addition to topics covered in the first edition, the second edition contains new topics such as legal biography and bibliography, forensic eloquence and oratory, and legal reviews, essays, journals and magazines. Also included in the second edition are a "prayer before the study of law" and 30 student resolutions which advise students (among other things) to have a scheme of life and study, live temperately, rise early, guard the mind from idle thoughts and sensual images and to avoid intimate association with young men of doubtful principles.

By 1843, Hoffman had returned to this country, and he attempted to start another law institute in Philadelphia. In a circular dated December 1843, Hoffman said, "Finding at this



time my health perfectly restored, and with it no abatement whatever of my zeal and devotion to that great science which in this country of all others needs to be methodically and carefully studied, and seeking, moreover, industrious and continuous occupation so essential to happiness in a land that knows of no idlers, I resolved to re-establish the Law Institution, and have selected Philadelphia as the place of its location." This project apparently lasted only a few years. Hoffman died from a stroke in 1854, one month and a half before his seventieth birthday.

#### Law School Revival

Following Hoffman's departure from the Maryland Law Institute, no attempt was made to resume the lectures or to fill his place on the faculty, probably due to the lack of student interest. The school lay dormant until 1869 when it was revived upon the initiative of a professor on the university's faculty of physic. From the original law faculty two men remained. One of them, George W. Dobbin, was named dean, new faculty appointments were made and classes were resumed on the first Monday in February 1870. Twenty students attended lectures delivered in a room of the old arts and science building (most of which was rented out as a warehouse) on Mulberry Street. The first academic year of the two-year course lasted only four months but the second year ran from October to June.

Two former judges presented the material at the law school. Professors Robert N. Martin and John A. Inglis lectured on alternate weekdays, and Saturday mornings they took turns presiding over moot court in which students argued hypothetical cases. In addition to moot court and lectures, students at the law school were required to read three or four textbooks and visit various courts in Baltimore.

The revived school's first commencement was held in June 1871 at the U.S. courthouse. Six students graduated and were admitted to the bar, the court agreeing to waive the perfunctory examination.

From this new beginning, the school grew steadily. By 1879, it had two classes, a junior class with 41 students and a senior class of 28 students, 26 of whom graduated in May 1880. These students attended lectures presented by four distinguished members of the profession on various subjects such as mercantile law, torts, pleading and practice, evidence, international law, contracts and property. Tuition was \$50 for four months of instruction, the school year running from October through May; weekly board in the city cost between \$4 and \$10, according to the school catalog then published.

In 1884, the law school moved from its home on Mulberry Street to a church-like structure

on Greene Street in the front yard of the medical school, thus bringing together the schools of medicine, dentistry and law. Also in that year a third student class was added. Although a student could graduate in one year, most took at least two years, while three years was the recommended period of study.

The dean at this time was John Prentiss Poe, an attorney who had joined the faculty when the school first reopened. A graduate of Princeton, Poe read law under his father's supervision before being admitted to practice in Baltimore in 1857. In 1880, Poe published a widely used two-volume textbook entitled *Pleading and Practice in Courts of Common Law*. Poe's book and reputation brought attention to the school much as Hoffman's Course of Study had 60 years earlier, and attracted an increasing number of students from outside Baltimore and the State of Maryland.

Poe was a man of enormous energy, and the law school required only a small part of it. He was active in politics, holding several elective offices during his tenure at the law school, including the position of State Attorney General. Through these positions, and as leader of Maryland's Democratic party, Poe gained many enemies who identified the law school with his conservative views. Liberal Democrats and Republicans joined together against Poe and, in 1890, the Baltimore University School of Law was established as part of an attempt by Poe's political enemies to break his conservative control of the state. In 1900, part of the faculty of this new law school broke away and founded another institution, the Baltimore Law School. Eleven years later these two schools consolidated, and in 1913 merged with the University of Maryland School of Law, thus making Baltimore a one law school city once again.

During the late nineteenth century, the University of Maryland Law School had seven professors lecturing approximately 100 students. Lectures were held in the late afternoon, Monday through Friday. Law school was a part-time pursuit of the students, most of whom worked during the day (some in law offices) and part-time employment for the faculty, the majority of whom were practicing attorneys or sitting judges. A full course of study was said to extend over three years; however, it was possible for students to complete the work in less time. The 1890 catalog notes that "Graduates of the Law Department of the University of Maryland are admitted to practice in the Maryland Courts on presentation of their diplomas and without examination."

#### Twentieth Century Growth

When Poe died in October 1909, the law school had an enrollment of over 200 students and a faculty composed of 12 leaders of the Baltimore bar.

Poe's place as dean was assumed by a graduate of the school and a longtime faculty member, Henry D. Harlan, who served in that capacity until 1931. Harlan, who sensed a need for the school to strengthen and modernize itself, led the school through a number of changes: a full-time day division having a three-year course of instruction was created, the evening program was expanded to four years, full-time instructors were employed, the curriculum was reorganized, the library collection was increased, and admission standards were tightened. In 1930, the law school received approval from the American Bar Association, which had established standards for law schools in 1921.

In 1931, the law school moved to a new three-story building of colonial design at the corner of Redwood and Greene Streets. Costing approximately \$200,000, the building included a students' lounge, four classrooms, a practice courtroom, private offices for the faculty, and a library with a stack space for 50,000 volumes. Also in the 1930's, the school received membership in the Association of American Law Schools, obtained a chapter of the national law honor society, Order of the Coif, and established the *Maryland Law Review*, a scholarly legal publication produced quarterly.

Establishment of the Law Review, made possible by "generous grants of financial assistance" from the state and city bar associations, was said to be the realization of a long-felt desire for a legal journal devoted to Maryland law and matters of interest to Maryland lawyers. Each issue of the review contained four sections: "Leading Articles" — signed essays discussing definite areas of the law or specific legal problems; "Editorial Matter" — announcements, news of the bar association and law school; "Casenotes and Comments" — notes on recent or leading Maryland or Federal cases; and "Book Review" — reviews of books concerning Maryland law and subjects interesting to lawyers. Today's Law Review differs little from the volumes first published. The "editorial" section has been eliminated and the number of total pages per volume increased. Also, today's Law Review is governed and produced by a student editorial board whereas in earlier years the faculty controlled the review with limited student assistance.

In the thirties, enrollment at the law school hovered around 230 students, with the evening division usually comprised of more students than the day division. Approximately 85 students formed the entering class each year: 50 in the evening division, 35 in day. Although 95 per cent of the students were from Baltimore or one of the Maryland counties, the majority of them did not come from the University of Maryland at College Park. For instance, of the student body in 1938, 20 per cent came from the

University of Maryland while the other 80 per cent had attended 55 other colleges and universities throughout the country, thus showing surprising diversity of educational backgrounds which continues today.

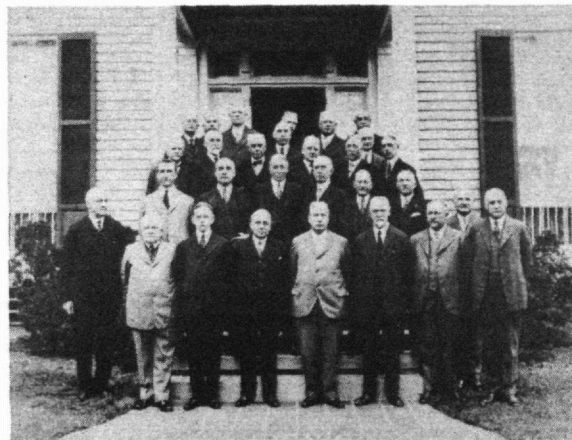
In 1931, Henry Harlan turned the deanship over to a 36-year-old member of the faculty, Roger Howell, who had graduated from the University of Maryland Law School in 1917. Dean Howell's leadership steadied and strengthened the school as it continued to grow. Upon his retirement in 1962, the school's enrollment was just under 500 students, approximately twice the number when he assumed the deanship in 1931, thus making it the 26th largest law school among those approved in the country. During Dean Howell's tenure, the curriculum was enlarged by the addition of elective courses reflecting contemporary legal concerns such as land use controls and medical-legal problems. Also clinical education at the University of Maryland Law School began during this time with a program which permitted students to earn course credit for work with the Baltimore Legal Aid Bureau.

The enrichment of the curriculum and growth of the school under Dean Howell's tenure has continued under the able leadership of his successors, William P. Cunningham, who served as dean from 1962 to 1975, and Michael J. Kelly, the present dean. Since 1962, enrollment has increased by approximately 275 students, mostly in the day division where the student body numbers approximately 500. The faculty has grown, too. Although the majority of the 50 instructors teach full-time, the school continues to attract leading members of the bench and bar to

teach late afternoon and evening classes as was done 100 years ago.

The curriculum still includes many of the subjects covered by David Hoffman; however, it has been enlarged to reflect the needs and problems of the twentieth century and the demands of the profession. Contemporary courses in social welfare law, political and civil rights, women in the law and mass communications law, to name but a few, are now offered along with basics such as contracts, torts, property and evidence. The clinical program initiated when Roger Howell was dean has been enlarged. Students now have an opportunity to "practice law" (in a supervised setting) by defending juveniles, fighting for and protecting the rights of the handicapped and providing civil legal assistance to the indigent. In addition, several courses, such as trial tactics and counseling and negotiation, enable students to develop and polish basic professional skills through practical exercises which are recorded on videotape for later review and critique.

Today's law school at the University of Maryland is stronger and more active than at any time in its 160-year history. Though it has gone through myriad changes since 1816, its basic purpose has remained the same: to produce lawyers, whose vocation is, according to David Hoffman, "the protection of the injured and the innocent; the defense of the weak and the poor, the conservation of the rights and property of the citizen, and the vigorous maintenance of the legitimate and wholesome powers of government."



This is a picture of the guests at the dinner given by Edgar G. Miller, Jr., on May 28, 1926, at his residence, Charles Street and Lake Avenue, to celebrate the 40th anniversary of the graduation of the Class of 1886 of the Law School of the University of Maryland. A star (\*) next to certain names denotes a member of the class; the others were members of the faculty and administration.

First row — (L-R) Edwin G. Baetjer, Joseph France, Herbert T. Tiffany, Charles A. Boston,\* George G. Carey, Jr.,\* Ralph Robinson, Charles McHenry Howard, Chief Judge Henry D. Harlan.

Second row — (L-R) William P. Lyons, Chief Judge Carroll T. Bond, Attorney General Thomas H. Robinson, Edgar G. Miller, Jr.,\* D. K. Este Fisher, John L. G. Lee.

Third row — (L-R) Judge John C. Rose, General Lawrason Riggs,\* Judge T. Scott Offutt, Leigh Bonsal,\* Herbert M. Brune, Daniel K. Randall, Edward M. Rich, Randolph Barton, Jr.

Fourth row — (L-R) J. Briscoe Bunting,\* John D. Hawkins,\* George Dobbin Penniman,\* Richard H. Pleasants, Robert Crain,\* Chief Judge James P. Gorter.



## A Brief History Of The University Of Baltimore

by James F. Schneider

For as many years as there has been a University of Baltimore, there has been a University of Baltimore School of Law. The law school and a business school were founded together in the summer of 1925 to fill a widespread public demand for quality professional education.

### University of Baltimore Founded, 1925

The establishment of the University came in response to actions taken by already-existing institutions of higher education in the Baltimore area. In the middle 1920's, the University of Maryland lengthened its evening law program to four years and began to require two years of college as a prerequisite to law school; Johns Hopkins added two years to its Commerce School course. Rising standards of admission meant that many competent people would be prevented from obtaining a legal or business education.

These changes seemed entirely unnecessary at a time when the only requirements for admission to the bar were a high school diploma and a law degree; many practical members of the legal and business communities refused to accept the changes.

A meeting of indignant citizens was called in June 1925 at the University Club at Charles and Madison Streets by Dr. Maynard A. Clemens (1879-1961), an innovative leader of higher education in Maryland who had already founded the Baltimore College of Commerce, and the College of Commerce at the University of Maryland, and who would in the future found Eastern College (1928) and the Mount Vernon School of Law (1935), to decide what should be done. Among others at the meeting were Eugene A. Edgett, Assistant State's Attorney for Baltimore City; Clarence W. Miles, Peoples Counsel; and Howell A. King, then associated with the School of Business Administration at the University of Maryland. A decision was reached to found the University of Baltimore to satisfy the need for a downtown law and business school where young men and women could receive a practical education without frills and their resultant expense. In August 1925, the University was granted its corporate charter by the State of Maryland.

Charles W. Heuveler (pronounced "hice-ler"), the 70-year old Judge who had retired from the Supreme Bench of Baltimore City the previous November, agreed to serve as the first Dean of the law school. A law faculty of competent career lawyers who could teach in the evenings was constructed.

### The Early Days

The first location chosen for

the school was on the southeast corner of St. Paul Street and Mount Vernon Place. The first classes of the University of Baltimore began there on October 1, 1925, for sixty-two law students and one hundred fourteen business students. Louis M. Lasky, the University's first registrar, wrote in later years: "It is not attempting to be figurative in speech when we say that the first few students who matriculated at this University actually had no other way for filling in their transcripts than by placing these papers against the wall and filling them out. This situation arose as a result of the fact that the school equipment had been delayed in reaching the University."

The first class of 38 law students was graduated from the 3-year evening program in 1928, just in time for the school to be accredited by the Maryland State Department of Education. Even though a college degree was not then required by the school, some of its first law graduates were holders of a Bachelor's Degree. An annex was opened at St. Paul and Centre Streets to accommodate the expanding student body. And in 1929, the former site of the Baltimore College of Dental Surgery at 847 N. Howard Street, now known to us as "Howard Hall," was purchased and became the first permanent site of the University of Baltimore.

State Senator William Milnes Maloy (1874-1949) became the second Dean of the law school upon the death of Judge Heuveler in February 1929. An honor society named in memory of the late Dean, to comprise the top ten per cent of each graduating law class was established in March 1932, and continues down to this day, the highest honor attainable by the law student.

Throughout the 1930's, each year the number of applicants increased, despite the generally hard times that followed the Stock Market Crash of 1929. Jobs were scarce, and the University established a non-profit employment bureau as a Depression measure to aid students in finding employment. Today, we know it as the Placement Office.

During the first 10 years of its existence, the University of Baltimore had 3 Presidents: Dr. Maynard A. Clemens, who was probably the man most responsible for establishing the University of Baltimore, served as Acting Chancellor until his resignation in 1926; he was succeeded by Dr. Wilbur F. Smith, who was elected first President and served until 1933; and finally, Howell A. King, one of the original founders of the school served as Acting President for about 2 years. On its 10th Anniversary in 1935, the Uni-

versity of Baltimore boasted of nearly 1,000 graduates of its law and business schools, some of whom were foreign students from China, Palestine and the Caribbean areas.

In the Fall of 1937, a 2-year junior college program was begun under the supervision of Dr. Theodore Halbert Wilson (1885), the University's education advisor, recently acquired from Harvard University. Dr. Wilson was to serve nearly three years in this capacity until the Board of Trustees announced his election as President in July 1940, after the school had gone almost five years without a President.

With the coming of World War II, the University of Baltimore offered courses designed to meet the demands of the times, including courses in aircraft engineering, nurses' training, military pilot training, management training in high priority industries, and even a course on the Japanese language.

In 1940, the law school began offering a 2-year course toward a Master of Laws Degree, graduating its first class of LL.M.'s in 1942. The program continued up until 1960, when it was discontinued. In 1946, Dean Maloy retired; Assistant Dean John H. Hessey (1890-1979) became the third Dean of the Law School.

### The Campus

Post-war growth of the University prompted the purchase of the former site of the Baltimore Athletic Club in April 1947. The building, now known as Charles Hall, was built in 1904. Once renovated, it provided needed offices, classrooms and recreational areas. In 1952, the University purchased a 45-acre campus from St. Paul's School for Boys. The area became the center of athletics at the University of Baltimore.

The corner property adjacent to Charles Hall was purchased in 1959, and the 2-story structure already existing there was enlarged to 4 stories. Completed in August 1961, the new building housed the library, administrative offices and classrooms. The Fall of 1961 saw the introduction of the College of Liberal Arts. With these accomplishments, President Wilson retired after more than 20 years of service, and was succeeded by Wilmer DeHuff, former Principal of the Baltimore Polytechnic Institute.

### Movement toward Accreditation

When the University of Baltimore was first founded, national accreditation did not seem too important; the school fulfilled its role as a place where employed persons could get an education and maintain their employment. But in 40 years, ideas changed, and the prestige attached to accreditation could not be overlooked. Accredited junior colleges were cropping up and beginning to cut into the enroll-

ment. The mobility of the American population in the 1960's seemed to demand that one's educational degrees be recognized outside of his home state. Requirements for admission to the bar were on the rise.

Dr. Thomas G. Pullen, former head of the Maryland State Department of Education, assumed the Presidency of the University in 1964, and the Board of Trustees backed him up on a drive toward accreditation.

In 1964, the University acquired property on the corner of Maryland Avenue and Oliver Street for the site of a new library. Completed in April 1966, at a cost of more than \$2 million, the library was named for R. Loran Langsdale, the last surviving member of the original Board of Trustees.

In the Spring of 1969, the University purchased the former site of Kelly Buick Motor Sales. Built in 1906, the building was designed by Clyde Friz, designer of the Central Branch of the Pratt Library and the Standard Oil Building at Preston Gardens. The northeast corner of Maryland and Mt. Royal Avenues was acquired at the same time. "By 1980," Dr. Pullen predicted, "this entire section of the city could be one of the state's largest and most vital cultural and educational centers." Renovation of the Kelly Building, now known as the "Academic Center," was completed in time for Fall 1971 classes and a visitation by an accreditation team from the Middle Atlantic States Association and the American Bar Association.

The undergraduate school petitioned for regional accreditation and became a recognized candidate for approval in December 1967. On December 5, 1971 the University of Baltimore was elected to membership in the Middle States Association of Colleges and Secondary Schools. In the interval between these events, Dr. Pullen had retired as President and was succeeded by Dr. H. Mebane Turner, former Provost of the University. The friends of the University were saddened by the death of "Dr. Tom" in November 1979. We are proud that his vital leadership has been carried forward by his highly-regarded successor.

On July 1, 1969, Joseph Curtis, Dean of the Marshall-Wythe School of Law at the College of William and Mary, took office as the first full-time Dean of the Law School. That Fall, the prospects of A.B.A. approval were enhanced with the additions of: the first full-time faculty, in the persons of Dean Curtis and Professors Royal G. Shannonhouse III and Barry S. Berger; a 3 year day law program and the extension of the evening law program from 3 to 4 years; the establishment of Moot Court, Law Review and a law student newspaper, *The Forum*; introduction of internships; and the founding of

the Student Bar Associations for both day and evening students. In September 1970, the University of Baltimore merged with the Mount Vernon School of Law and its parent institution, the Eastern College. Our faculty was augmented that year with the addition of Dean Julius Isaacson and President A. Risley Ensor, of Mount Vernon and Professors Richard A. Buddeke, Harold D. Cunningham, Thomas J. Holton and Stuart S. Malawer. The following year, Professors Herbert N. Bernhardt, Eugene J. Davidson and Malcolm F. Steele joined the teaching staff. On August 17, 1972, the Law School received the provisional approval of the American Bar Association. Final A.B.A. accreditation is anticipated upon the completion of the new law building now under construction on Mount Royal Avenue.

### In Recent Years

In 1974 the University of Baltimore became a public institution when it joined the State system of higher education. In 1978, after nine years as Dean and with an enviable record of accomplishments, Joseph Curtis retired to return to the classroom as Professor. As a token of the respect and admiration in which he is universally held by his students and the administration, the first chair to be endowed in the Law School was established in his name.

The sadness which greeted Dean Curtis' retirement was lessened by the appointment of a worthy successor. Laurence M. Katz, Assistant Dean at the University of Maryland, took office as Dean on July 1, 1978. Under his energetic leadership, the Law School continues to progress in new directions in teaching and administration.

Today the University of Baltimore continues to fulfill its purpose of providing quality education in law, business and liberal arts. It has furnished this City and State with leaders in every field of endeavor. Those of us who have passed through its doors share a continuing pride in its achievements. We salute Dr. Turner and Dean Katz for their efforts. We applaud the work of a vital Alumni Association led by President William Knobloch and Secretary Ava M. Johnston, and by countless others too numerous to list. Not the least of their efforts are fundraising activities directed by Sheldon Caplis, Jan Temkiewicz and Marcella Kiesler. To all of them and their predecessors, we extend our heartfelt thanks and congratulations! They make me proud to claim my membership in the ever-growing multitude of alumni of the University of Baltimore!

(Mr. Schneider, Master in Chancery and the Historian of the Supreme Bench of Baltimore City, was first President of the Student Bar Association, 1970-72.)



EXCERPTS FROM  
"A HISTORY OF THE EASTERN COLLEGE OF COMMERCE  
AND LAW,  
PARTICULARLY OF THE MOUNT VERNON SCHOOL OF LAW"

by  
DR. MAYNARD A. CLEMENS, M.A., Litt. D.

[Dr. Clemens was the founder of Eastern College and the Mount Vernon School of Law, as well as the University of Baltimore, the Baltimore College of Commerce, and the University of Maryland School of Commerce. He died in 1961.]

"... I received a letter from Mr. Edmond S. Donaho, President of Strayer College, requesting me to call at his office. [He] told me that he intended to consolidate the Bryant and Stratton College with the Strayer College and that he would like to establish a department of Accounting and Business Administration. Knowing that I had experience in organizing the College of Commerce at the Y.M.C.A., the College of Commerce at the University of Maryland, and the University of Baltimore, he invited me to organize and direct this new department. I started in August, 1928 to organize a course in Accounting with both day and evening classes. That first session, the enrollment numbered 56 students.

"If I ever have an enemy, I can wish for him no more fitting punishment than that of trying to organize a school and make it a success. Such a task required, I found, constant application, day and night, practically seven days a week. To try to overcome the popular prejudice against the teaching of accounting in a business college, I changed the name of our department to that of the Maryland School of Accounting. Although it was up-hill work, we did increase the enrollment in 1929-30 to 130 students; in 1930-31 to 190 students, and in 1933-34 to 203 students. Many new teachers joined the faculty, among whom were Messrs. Julius Levy, Julius Isaacson, Philip Margolis, O. Wayne Baker, Philip Fry, Morris Fedder, John H. Croker, and Bromley Smith.

"In 1935, I proposed to a group of lawyers that we establish a law school. The suggestion met with a favorable response. Accordingly, Mr. Margolis conferred with Mr. Donaho to get his consent. Mr. Peter Peck outlined a course of study and helped organize the faculty. Mr. Isaacson drew up papers for the incorporation, making no charge for his services, with the result that a new educational institution, the Eastern University, was created with two departments: The Maryland School of Accounting and the Mount Vernon School of Law. This latter name was suggested by Mr. William F. Laukaitis, who was then serving as an Associate Judge of the Traffic Court and who agreed to instruct the class of Criminal Law. [The] Hon. William F. Broening, former Mayor of Baltimore, accepted the position of Dean of the new School of Law. Several well-known lawyers joined the faculty; viz.,

Messrs. Daniel Sullivan, who succeeded Mr. Broening as Dean; A. Risley Ensor, who upon the death of Mr. Sullivan, became Dean and later still, President of the College; Paul Schmidt, Arthur R. Padgett, Tom Kenney, and Stewart Lee Smith, Assistant State's Attorney. [Julius Isaacson, whose name is synonymous with the school, was its last Dean.]

"... To attract the attention of the people of Baltimore to the new institution, we published full-page advertisements in the newspapers. To climax the promotional campaign, we arranged a big mass-meeting which was held in the Auditorium of the Peabody Institute. Mr. Dale Carnegie, whom I had aided back in 1912 to get started as a teacher of Public Speaking, came down from New York and delivered his lecture, "How to Win Friends and Influence People," which he subsequently expanded into a book — one of the best sellers in the country.

"... In November or December, 1935, the State Board of Education approved our application and permitted us to proceed tentatively with the understanding that if an adequate law library were obtained, the State Superintendent, Mr. Albert S. Cook, would authorize the Law School to confer the degree of Bachelor of Laws. To [the] Hon. William F. Broening, the new Dean, goes full credit for this achievement.

"The enrollment of the Eastern University grew steadily year after year and in 1940, the total reached 455 students. Warning rumbles of war began to be heard [by] 1941. More and more of the students and a few of the instructors were drafted into the Service, leaving gaps in the classes which could not be filled. Finally, after Pearl Harbor, war broke with all its fury. Nearly everything in business and industry and in our institution were dropped to contribute full energy to the war effort. The Day Classes and the Law School were suspended. The enrollment shrank during those awful years to 95 students.

"With the close of the war, hundreds of ex-service men and women flocked to the various

educational institutions to avail themselves of studies and subsistence checks which were guaranteed by the G.I. Bill of Rights. Over 100 students were registered in our Day School. In connection with a revival of our Law School, a new problem arose — a satisfactory and approved Pre-Law Course. This was made necessary by an Act of the legislature, which was passed just about the time of the outbreak of the war and which raised the standards of legal instruction. This made at least two years of College instruction necessary as a prerequisite for those who wished to study law. Mr. Ensor, accordingly, besought the Legislative Council to introduce a bill in the General Assembly, assuring the Eastern University of the privilege of conducting a Pre-Law Course. Upon its passage, Dr. Pullen, State Superintendent of Education, approved, and the Law School established a Pre-Law Course. This practically guaranteed the success of the Mount Vernon School of Law. To gain this advantage, the Board of Trustees agreed in 1948 to change the name, Eastern University, to Eastern College of Commerce and Law.

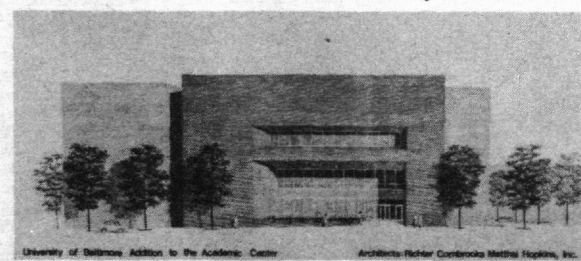
"In concluding this brief history, I do not believe that the present students can understand nor properly evaluate the tremendous effort which has been expended in trying to create this institution and bring it to the present stage of development. Starting with nothing and materializing something out of thin air is a trick worthy of a conjurer or one possessing great faith.

"In retrospect, one wonders whether it has been worthwhile. But when one contemplates the actual accomplishments in changed lives and improved human welfare, the answer to the doubts and questions stands out like the golden harvest moon on a cloudless night."

#### CONCLUSION

Beginning in 1958, Associate Degrees were offered in Liberal Arts, Accounting, and Business Administration. In 1965, the latter two programs were expanded into full four-year baccalaureate programs, and the first Bachelor of Science degrees were conferred in June of 1967. In March 1970, the School of Law was authorized to grant Juris Doctor degrees at its June commencement.

On September 1, 1970, Eastern College and the Mount Vernon School of Law merged with the University of Baltimore.



University of Baltimore Addition to the Academic Center

Architects: Richter, Conderbrook, Matthei, Hopkins, Inc.

## The University of Baltimore School of Law — 1980

by Laurence M. Katz, Dean

The University of Baltimore School of Law will take perhaps its longest stride forward upon completion of a new \$7.2 million building, less than two years from now.

The 106,000 square-foot structure will not only further enhance the blossoming Mount Royal area, but will have a genuinely positive effect on the law school's educational program. For the first time, students, faculty members, administrative officers and the library will be brought together under one roof, thereby avoiding the physical and psychological impediments caused by the current hodgepodge of offices and classrooms.

Besides expanded space for library materials, there will be room for computer terminals and a variety of audio-visual equipment, adequate classroom space for both traditional academic courses and innovative clinical programs, and office space for an enlarged, full-time faculty.

In addition, completion of the building should be the final step toward gaining unqualified approval from the American Bar Association; pending occupancy, the University of Baltimore School of Law is currently under provisional accreditation.

Our faculty is now virtually at peak strength. The University of Baltimore School of Law was one of the few in the country able significantly to increase its teaching staff over the past few years; it has thus been in a position to take happy advantage of a buyer's market, securing a good number of talented young professors to complement an already fine senior faculty. In the coming year there will be thirty-four full-time faculty members and twenty-five part-time instructors, including some of the foremost practicing attorneys and government officials in the state.

Today most of the day and evening division courses are taught by the full-time professors. In addition a wide variety of seminars and internships are offered by the adjunct faculty to over 850 day and evening students. In the past decade, the law school curriculum has undergone dramatic changes, evolving not only through the addition of new courses but also by the introduction of less traditional educational opportunities like client counseling, a juvenile law clinic, and a growing number of limited enrollment seminars. Utilizing the new technology of video tape, small classes in trial advocacy permit students to develop courtroom skills under closely supervised and carefully controlled simulated conditions.

Our moot court program is most active and successful. Besides standard intramural competitions, the University of Baltimore regularly participates in

regional and national programs — including the National Moot Court, International Law Moot Court, Patent Moot Court, and Counseling and Negotiation Moot Court competitions.

In addition to the enriched research and writing opportunities provided in required courses and seminars, the School of Law sponsors two student-edited and exceptionally well-received publications: the *Law Forum* and the *Law Review*. The *Forum* allows for thoughtful journalistic commentary in a magazine format. The *Law Review*, now in its eighth year and greatly expanded, has come to be highly regarded both within and outside the state.

The law school also conducts an extensive, supervised internship program in which students may obtain, for credit, invaluable experience working with private practitioners, judges, and legislators, as well as with the Department of Legislative Reference in Annapolis. This past year over 250 students were placed in internships throughout the state.

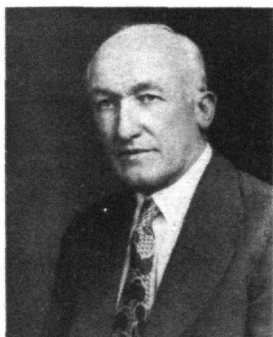
We are currently training the maximum number of students that can be effectively accommodated, either in the current setting or in the new building. Fortunately, we can continue to be highly selective — the pool of qualified candidates remains substantially larger than the number of places available — and word-of-mouth is making the University of Baltimore School of Law a more popular choice than ever before.

Although a substantially increased budget for the next fiscal year has enabled us to bring faculty salaries to the median level of what they are across the country, with the developing instructional emphasis on skills and clinical programs, a lower student/faculty ratio is becoming more important than ever — no longer a luxury but a necessity.

The clinical programs are but one way to achieve the goal of providing the community with first-rate legal services. That objective is also being met by the research activities of the faculty, their pursuit of public-interest litigation, their involvement in continuing legal education, and their active participation in the life of Maryland's legal community.

As an urban school the University of Baltimore, likewise, has a special obligation to continue offering a strong day and evening program for the community at large. Of course we affirm our overriding mission to maintain a first-rate educational process that trains qualified lawyers to enter the bar at a level of competence, in which they can develop into public spirited, effective practitioners of a rapidly changing profession.





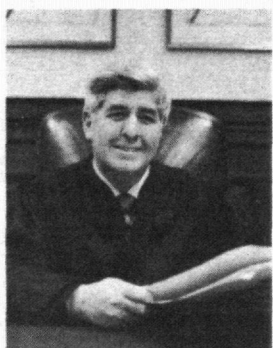
**Judge S. Ralph Warnken**



**Judge Allan W. Rhynhart, Jr.**



**Judge Cornelius P. Mundy**



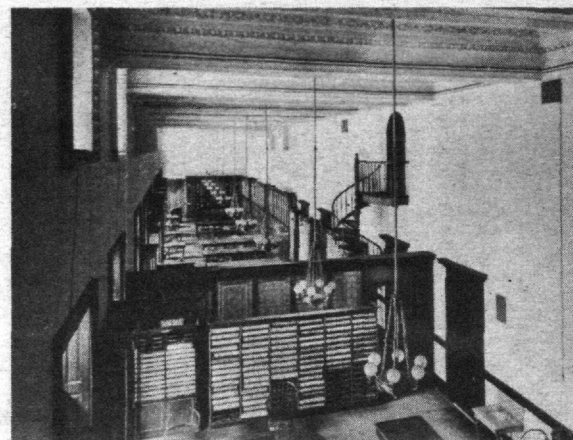
**Judge Robert L. Sullivan, Jr.**



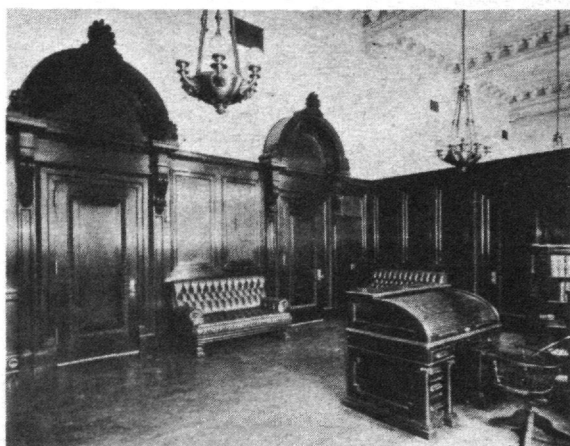
**Judge Joseph Allen**



The Office of the Register of Wills, 1900.



The Office of the Clerk of the Circuit Court, 1900.



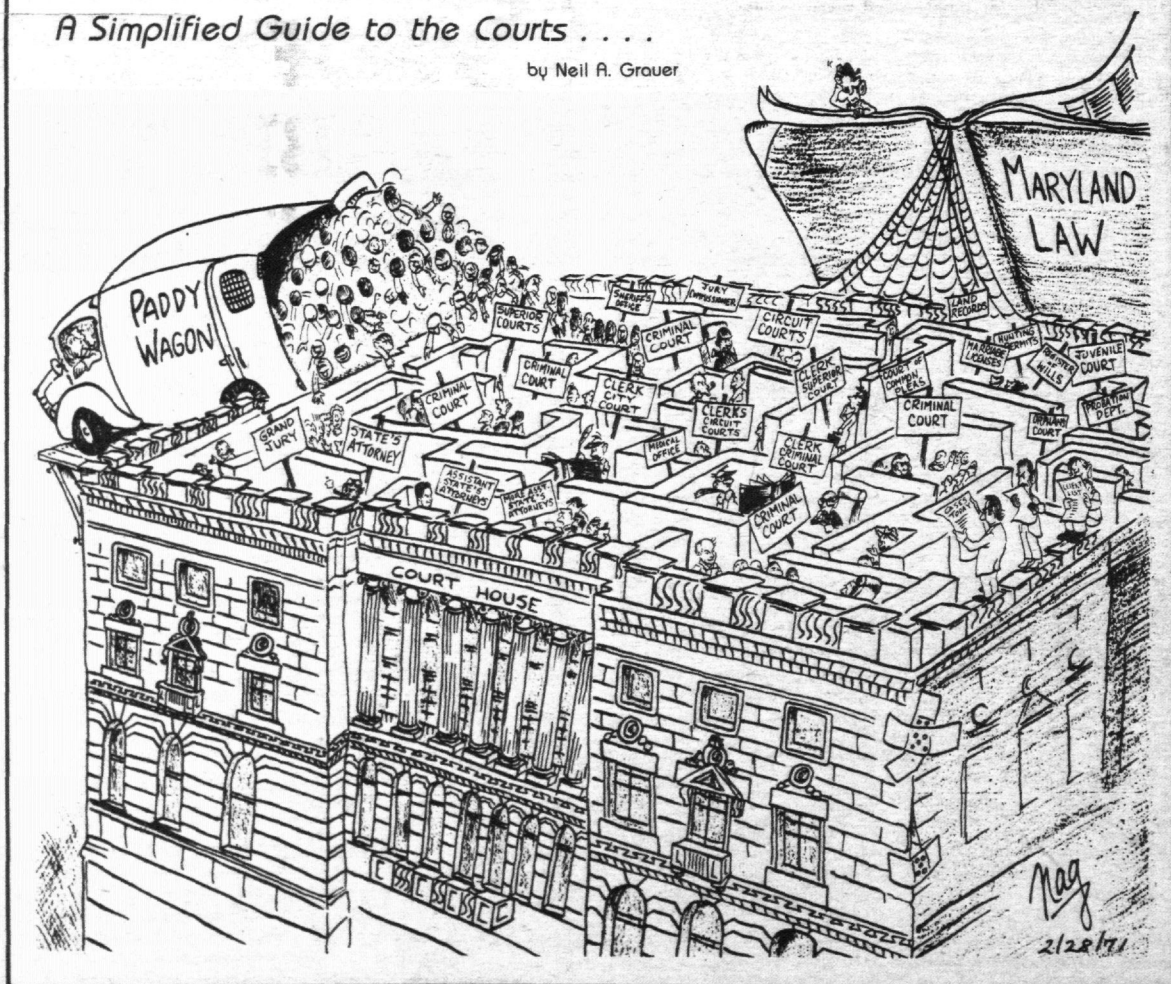
The State's Attorney's Office in 1900.



The Record Office in 1900.

*A Simplified Guide to the Courts . . . .*

by Neil A. Grauer



2/28/71



## Abe Sherman's Kiosk

By Jim Schneider

In 1919, a young man named Abe Sherman, recently mustered out of the army after World War I, opened a newsstand in front of the Battle Monument. And in January, 1970, when he closed up shop after more than fifty years at the same location, the same young man had become a legend, and his kiosk, a Baltimore institution. Of course, he was too young to retire, and even now, in his eighties, he still operates "The Sherman News Agency" out of a shop on Park Avenue. But it was his place on Monument Square and his place in the hearts of the members of the Bar that prompts this tribute.

Weathering more than fifty Baltimore winters and summers, Abe sold newspapers from all over the world to the Judges and lawyers who, dodging the furious onslaught of motor traffic, bravely crossed Calvert Street to pause at his shrine. He knew them all: the great, the near-great, and the not-so-great. And they all knew him. And they thought he was great (and still do).

What makes Abe Sherman great? It wasn't just the kiosk; it wasn't the fact that he enlisted in the army in World War II and won the Silver Star, at the age of 47; it isn't even the fact that he is Phil Sherman's dad, which makes him special to us on that account. To a whole city, this feisty guy exemplifies the simple virtues of guts and hard work. But don't ever tell Abe that you think he's great. He'd deny it in terms too salty to print. And for



Abe back at the old stand in Monument Square, V-J Day, 1945. The man on the right is Moses Sherman, Abe's father.

Pete's sake (and your own), don't ever call him "Mr. Sherman". He is just plain Abe, and don't you forget it. Politeness does not impress Abe. But don't be deceived. Underneath the earthy talk, the gruff facade and the seeming willingness to take on the world, is a wonderfully kind-hearted and generous fellow.

So on the occasion of the celebration of the Centennial of the Bar Association of Baltimore City, we tip our hats and say

"Thank you, Abe Sherman, for being Abe Sherman."

## Foster H. Fanseen

The Dickinson School of Law is proud to honor one of its oldest graduates. Foster H. Fanseen received his law degree from this school in 1915. During the next sixty-four years his dynamic and personable courtroom manner would make him a legend in his own time.

A native Pennsylvanian, he left the one-room school and his family farm in Mount Pocono to attend East Stroudsburg Normal School. Following graduation there he entered Dickinson College and later transferred to the Dickinson School of Law, from which he received a Bachelor of Laws degree.

Unable to foresee success as a legal practitioner in the community of fifty persons where he grew up, he went to Baltimore, passed the Maryland state bar examination Nov., 1915, and began his career as a trial lawyer. It is not merely his long service to his profession but his brilliant career as a defense attorney that we note today. His opponents in litigation recall with dismay, but with fondness, his sense of the dramatic and the colorful. Known locally as the "Bard of the Bar", Foster Fanseen has argued more cases in court than



Foster Fanseen

any other lawyer in Baltimore. A published poet, he frequently brought poetry to his courtroom presentations.

He has remained involved and informed, through his many memberships in legal organizations and associations.

He has served his community as Director of the Lutheran Hospital of Maryland, a member of Smithsonian Associates, and a member of the Maryland Historical Society of Baltimore City. He was a board member of the Baltimore City Jail for twenty-four years. A devoted family man, he is an active member of his church. He is a loyal activist in alumni affairs of the Law School he loves.

We are honored to bestow upon him the degree of Doctor of Laws, Honoris Causa.

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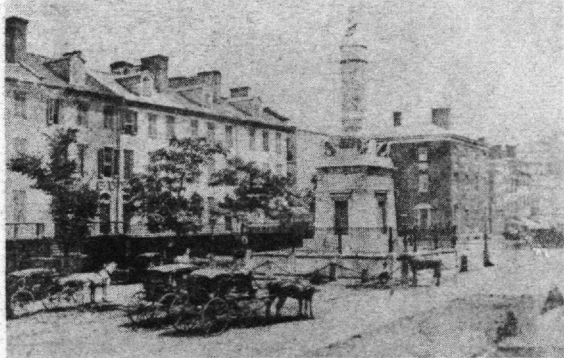
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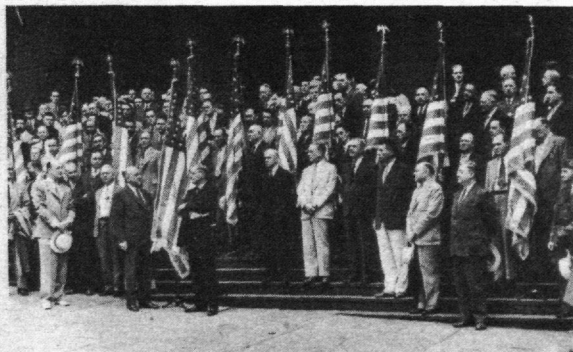
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Monument Square looking southeast, as it appeared just after the Civil War. The buildings on the left stand on the present site of the Civil Courts Building.



Mayor Howard Jackson presents American flags to Chief Judge Samuel K. Dennis who accepts them on behalf of the Supreme Bench of Baltimore City, June, 1940.



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